

APPLICATION AS NOTIFIED

S HODGSON

(RM260174)

QUEENSTOWN LAKES DISTRICT COUNCIL

SERVICE OF NOTICE / LIMITED NOTIFICATION

Service of Notice for Limited Notification of a Resource Consent application under Section 95B of the Resource Management Act 1991.

The Queenstown Lakes District Council has received an application for a resource consent from:

Steven James Hodgson

What is proposed:

To remove an existing swing mooring from the bed of Lake Wakatipu (Whakātipu-Wai-Māori), and to re-establish it in a new location, requiring land use consents from the Otago Regional Council and the Queenstown Lakes District Council.

The location in respect of which this application relates is situated at:

On the southern side of the Frankton Arm to the north of 451 Peninsula Road, Kelvin Heights, Queenstown within Whakātipu-Wai-Māori at the following GPS coordinates:

-45.038215 S 168.693779 E (WGS84 Decimal Degree Format).

A full copy of this Limited Notified package is available for you to download on the following link:

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#limited-not-rc> or via our edocs website using **RM260174** as the reference <https://edocs.qldc.govt.nz/Account/Login>

This file can also be viewed at our public computers at these Council offices:

- **Gorge Road, Queenstown;**
- **and 47 Ardmore Street, Wanaka during normal office hours (8.30am to 5.00pm).**

The Council planner processing this application on behalf of the Council is Rebecca Holden, who may be contacted by phone at 021 170 1496 or e-mail at rebecca.holden@qldc.govt.nz

Any person who is notified of this application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that –

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

If you wish to make a submission on this application, you may do so by sending a written submission to the consent authority no later than:

2 September 2026

The submission must be dated, signed by you and must include the following information:

- a) Your name and postal address and phone number/fax number.
- b) Details of the application in respect of which you are making the submission including location.
- c) Whether you support or oppose the application.
- d) Your submission, with reasons.
- e) The decision you wish the consent authority to make.
- f) Whether you wish to be heard in support of your submission.

You may make a submission by sending a written or electronic submission to Council (details below). The submission should be in the format of Form 13. Copies of this form are available Council website:

<https://www.qldc.govt.nz/services/resource-consents/notified-consents/current-notified-resource-consents/>

You must serve a copy of your submission to the applicant (Steven James Hodgson, steve_hodgson@mac.com) as soon as reasonably practicable after serving your submission to Council:

C/- Kylie Columb
kylie@vivianespie.co.nz
 Vivian Espie Limited

QUEENSTOWN LAKES DISTRICT COUNCIL



(signed by Jane Sinclair pursuant to a delegation given under Section 34A of the Resource Management Act 1991)

Date of Notification: 5 August 2026

Address for Service for Consent Authority:

Queenstown Lakes District Council
 Private Bag 50072, Queenstown 9348
 Gorge Road, Queenstown 9300

Phone
 Email
 Website

03 441 0499
rcsubmission@qldc.govt.nz
www.qldc.govt.nz



**NOTIFICATION ASSESSMENT UNDER s95A AND s95B OF THE RESOURCE
MANAGEMENT ACT 1991 (RMA)**

**NOTIFICATION DECISION UNDER s95A AND s95B RMA OF BOTH THE QUEENSTOWN
LAKES DISTRICT COUNCIL and**

THE OTAGO REGIONAL COUNCIL

Applicant:	S Hodgson
RM reference:	RM260174
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consents from the Otago Regional Council (ORC) and the Queenstown Lakes District Council (QLDC) to remove an existing swing mooring from the bed of Lake Wakatipu (Whakātipu-Wai-Māori), and to re-establish it in a new location.
Location:	Bed and surface of Whakātipu-Wai-Māori, to the north of 451 Peninsula Road, Kelvin Heights.
Legal Description:	N/A
QLDC Zoning:	ODP: Rural General PDP: Rural (Water)
QLDC District Plan Notations:	Wāhi Tūpuna Site 33 (Whakātipu-Wai-Māori (Lake Whakātipu))
ORC ORP:W Notations:	MA3 (Waahi tapu and/or Waiwhakaheke)
Activity Status:	Discretionary
Decision Date	4 August 2026

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95E of the RMA, the application seeking consent for a mooring within the Frankton Arm, will be processed under the Queenstown Lakes District Plan on a limited notified basis given the findings of Sections 4.1 and 4.3 of this report. Notice of the application will be served on those parties identified in Section 4.3.3 of this report in accordance with section 2AA of the RMA.
2. Pursuant to sections 95A-95E of the RMA, the application seeking consent under the Otago Regional Plan: Water to remove a structure from the bed of Whakātipu-Wai-Māori, and to replace this with a structure, fixed in, on, under or over the bed of a lake, will be processed by the QLDC in accordance with the deed dated 23 March 1994 on a limited notified basis, given the findings of Sections 4.1 and 4.3 of this report. Notice of the application will be served on those parties identified in Section 4.3.3 of this report in accordance with section 2AA of the RMA.
3. This decision is made by Jane Sinclair, Independent Commissioner as delegate for the Council pursuant to Section 34A of the RMA.

1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

1.1 Background

Many of the moorings and jetties in the District's lakes have been in place for quite some time. Any mooring or jetty established prior to 1991 likely required a licence under the Harbours Act 1950. Where a Harbours Act licence was obtained, the mooring or jetty was able to continue to rely upon the Harbours Act licence under section 418(3A) of the Resource Management Act 1991 (RMA) until the expiry of the licence. As Harbours Act licences had 14-year-terms, all licences would have expired by 2005 (14 years following the repeal of the Harbours Act), after which authorisation under the RMA is required for a mooring or jetty to be lawful under this legislation.

In 2021, the QLDC undertook a survey of the District's lakes and become aware that a number of moorings and jetties may not be lawfully established under the RMA (because of the transition from the Harbours Act to the RMA). Communication was sent to all mooring and jetty owners, advising them about their responsibilities and requirements under the RMA.

As a result, QLDC have received a number of applications to lawfully establish under the RMA existing moorings and jetties within the District's lakes. These structures need consents under both the QLDC District Plan and the Otago Regional Council's Regional Plan: Water for Otago (ORP:W).

Of relevance to the processing of this application under the ORP:W, on 23 March 1994, a deed was made to transfer the power to determine applications for land use consent for activities / structures affecting lakes from the ORC to the QLDC pursuant to Section 13(1)(a) of the RMA. In accordance with this deed, in emails dated 10.3.26 and 4.8.26, the ORC confirmed that QLDC could process this application seeking consent under the ORP:W on its behalf.

1.2 Summary of Proposal

The Applicant has provided a description of the subject site and surrounding environment, background and proposal in Sections 3.1, 3.2 and 4.0 in the report entitled "*Assessment of Environmental Effects, Retrospective Resource Consent to Establish Mooring #189 on the bed of Lake Wakatipu, north of 451 Peninsula Road, Kelvin Peninsula*", prepared by Kylie Columb of Vivian + Espie Limited, and submitted as part of the application (hereon referred to as the Applicant's AEE and attached as *Appendix 1*). This description is considered adequate and is adopted in part for the purpose of this report with the following clarifications/additions:

Consent is sought to lawfully establish under the RMA an existing swing mooring for a single vessel within Whakātipu-Wai-Māori, on the southern side of the Frankton Arm to the north of 451 Peninsula Road, Kelvin Heights. The proposal relates to existing mooring permit¹ 189 ("M189") which, as confirmed within the inspection report submitted with the application, is currently located at the following GPS coordinates (as indicated in Figure 1 below):

-45.038222 S, 168.693447 E (WGS84 Decimal Degree Format)

The above GPS coordinates differ from those cited in the AEE and the location for M189 held in Council records. During the processing of this application, the QLDC Harbourmaster raised navigational safety concerns regarding the existing location of M189 (as per the coordinates contained within the inspection report). The Applicant has subsequently confirmed² that the new proposal is to relocate the existing swing mooring system approximately 25m to the east of its existing location in order to avoid a swing radius conflict (detailed further in Section 3.3.3 below). The proposed GPS coordinates for the mooring are now as follows, as shown in Figure 1 (noting these are the coordinates originally cited in the AEE and align with the location of M189 held in Council records):

-45.038215 S 168.693779 E (WGS84 Decimal Degree Format).

¹ Issued under the QLDC Mooring Permit system which is administered by Councils Property team and is not an authorisation under the RMA.

² Refer to email dated 7.7.26, publicly viewable in QLDC's eDocs system under the reference "RM260174": <https://edocs.qldc.govt.nz/>



Figure 1: Location of existing swing mooring M189 (large orange dot), compared to proposed location (as indicated), in relation to surrounding moorings and features.

Of note, GPS coordinates that have been used within the application documents use either the Degrees, Minutes, Seconds (“DMS”) format (mooring inspection report), or the Decimal Degree (“DD”) format (AEE). In accordance with the standard QLDC mooring inspection form, all coordinates have been converted to the WGS84 Decimal Degree Format for the purposes of this report. Whatever format is used, the existing and proposed location of M189 is as shown in Figure 1 above.

The Applicant has advised that the mooring was likely established in the 1960’s by a previous owner, however the exact date it was established is unknown. The Applicant acquired the mooring (and a jetty) as part of a sales and purchase agreement associated with 451 Peninsula Road, approximately 19 years ago. The Applicant has demonstrated that they hold a QLDC mooring permit for the mooring.

Consent is sought to use M189 for a vessel up to 9m in overall length.

2. ACTIVITY STATUS

The 2007 QLDC Operative District Plan is being reviewed through a series of plan changes commenced in August 2015 known as the Proposed District Plan (PDP). As set out in Chapter 1 of the PDP, the district plan can now be summarised as comprising:

- A. Provisions reviewed since 2015 referred to as the PDP that apply in areas mapped in the PDP ePlan maps; and
- B. Provisions reviewed since 2007 referred to as the Operative District Plan (ODP) that apply in areas mapped in the ODP ePlan maps, which appear as white in the PDP ePlan maps.

Strategic Chapters 3-6 of the PDP as well as Designations, Heritage and Wāhi Tūpuna apply to all areas.

Where decisions on the PDP have been appealed, the corresponding ODP rules continue to apply. As appeals are resolved, more PDP rules are treated as operative and the equivalent ODP rules are treated as inoperative (s.86F RMA). Currently, resource consent may be required under either, or both the ODP and PDP provisions listed below.

2.1 OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General in the ODP. However, there are no longer any relevant rules under the ODP, given the relevant rules under the PDP are treated as operative pursuant to section 86F.

2.2 PROPOSED DISTRICT PLAN

The subject site is zoned Rural (water) by the PDP. The proposed mooring is located within Wāhi Tūpuna Site 33 (Whakātipu-Wai-Māori (Lake Whakātipu)). Whakātipu-Wai-Māori is also a Statutory Acknowledgement Area under the Ngāi Tahu Claims Settlement Act 1998, as recognised within the PDP. While these provisions do not contain rules that might trigger the need for a resource consent, they are particularly relevant for the assessment of this application and for providing guidance on actual and potential effects.

The proposed activity requires resource consent under the PDP for the following reason³:

- A **restricted discretionary** activity pursuant to Rule 21.15.7 in regard to moorings in the Frankton Arm. The proposed mooring is identified within the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application. Council's discretion is restricted to the following matters:
 - a. whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;
 - b. whether the structure causes an impediment to craft manoeuvring and using shore waters.
 - c. the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
 - d. the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;
 - e. whether the structure will be used by a number and range of people and craft, including the general public;
 - f. the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design;
 - g. whether the structure enables the use of public water ferry services and/or water based transport.

Note: The Applicant has also triggered discretionary activity resource consent pursuant to Rule 21.15.8 relating to any structure or mooring that passes across or through the surface of any lake or river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers. It is not considered necessary to trigger PDP Rule 21.15.8 given the location of M189 is within the Frankton Arm, an area which provides for moorings as a restricted discretionary activity pursuant to Rule 21.15.7.

Overall, the application is considered to be a **restricted discretionary** activity under the PDP.

2.3 THE OTAGO REGIONAL COUNCIL PLAN: WATER

Whakātipu-Wai-Māori is a Statutory Acknowledgement Area under the Ngāi Tahu Claims Settlement Act 1998, which is recognised within the ORP:W and is a relevant consideration for the assessment of this application under the ORP:W, and for providing guidance on actual and potential effects.

In accordance with the deed signed between the ORC and QLDC and the confirmation from ORC delegating its decision making (as outlined in Section 1.1 above), the application has been considered by QLDC under the relevant provisions of the ORP:W.

³ Cited rule(s) can be treated as operative under s86F.

The proposed activity requires resource consent under the ORP:W for the following reasons:

- A **restricted discretionary** activity pursuant to Rule 13.4.2.1 as the proposal involves the removal of a structure that is fixed in, on, under, or over the bed of any lake or river and does not meet the requirements of a permitted activity in Rule 13.4.1.1, specifically standard 13.4.1.1(c). The Applicant now proposes to remove the existing swing mooring from Whakātipu-Wai-Māori, which is identified in Schedule 1D of the ORP:W as MA3 (Waahi tapu). Council's discretion is restricted to the following matters:
 - a) Any adverse effects of the activity on:
 - (i) Any natural and human use value identified in Schedule 1 for any affected water body;
 - (ii) The natural character of any affected water body;
 - (iii) Any amenity value supported by any affected water body; and
 - (iv) Any heritage value associated with any affected water body; and
 - b) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and
 - c) Flow and sediment processes; and
 - d) Any adverse effect on a defence against water; and
 - e) Any adverse effect on existing public access; and
 - f) The method of demolition or removal; and
 - g) The duration of the resource consent; and
 - h) The information and monitoring requirements; and
 - i) Any existing lawful activity associated with any affected water body; and
 - j) Any bond; and
 - k) The review of conditions of the resource consent; and
 - l) Any financial contribution for regionally significant wetland values or Regionally Significant Wetlands that are adversely affected.

Note: the above rule is not triggered in the AEE as the application has been amended since it was first lodged.

- A **discretionary** activity pursuant to Rule 13.2.3.1 as the proposal involves the placement of a structure, fixed in, on, under or over the bed of a lake. It is proposed to place a mooring that passes through the surface of Whakātipu-Wai-Māori and is attached (anchored) to the bed of the lake.

Overall, the application is considered to be a **discretionary** activity under the ORP:W.

2.4 ACTIVITY STATUS SUMMARY

The application is considered to be:

- a **restricted discretionary** activity under the PDP; and
- a **discretionary** activity under the ORP:W.

Overall, the application will be considered as a **discretionary** activity.

NOTIFICATION ASSESSMENT AND DETERMINATION DECISION UNDER SECTIONS 95A AND 95B OF THE RESOURCE MANAGEMENT ACT

The below covers both the QLDC and ORC resource consent applications.

3. SECTION 95A – PUBLIC NOTIFICATION

Section 95A of the RMA requires a decision on whether or not to publicly notify an application. The following steps set out in this section, in the order given, are used to determine whether to publicly notify an application for a resource consent.

3.1 Step 1 – Mandatory public notification

The Applicant has not requested public notification of the application (s95A(3)(a)).

Public notification is not required as a result of a refusal by the Applicant to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the RMA (s95A(3)(b)).

The application does not involve an exchange of recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

Therefore, public notification is not required by Step 1.

3.2 Step 2 – Public notification precluded

Public notification is not precluded by any rule or national environmental standard (s95A(5)(a)).

The proposal is not:

- a controlled activity; or
- a boundary activity as defined by section 87AAB that is restricted discretionary, discretionary or non-complying;

Therefore, public notification is not precluded under Step 2.

3.3 Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

Public notification is not specifically required under a rule or national environmental standard (s95A(8)(a)).

A consent authority must publicly notify an application if notification is not precluded by Step 2 and the consent authority decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

An assessment in this respect is therefore undertaken, and decision made in sections 3.3.1 - 3.3.4 below:

3.3.1 Effects that must / may be disregarded (s95D(a)-(e))

Effects that must be disregarded:

- *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- *Trade competition and the effects of trade competition (s95D(d)).*
- *Effects on a person who has given written approval to the relevant application. The following persons have provided their **written approval** and as such adverse effects on these parties have been disregarded (s95D(e)).*

Person (owner/occupier)	Address (location in respect of subject site)
Land Information New Zealand (LINZ)	N/A

The QLDC processing planner has consulted with Maritime New Zealand as per requirements of s.89A. In an email dated 10 March 2026, Maritime NZ confirmed they had no comment on the application.

Effects that may be disregarded:

- *An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b)) – referred to as the “permitted baseline”. The relevance of a permitted baseline to this application is provided in section 3.3.2 below.*

3.3.2 Permitted Activities (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case, all permanent structures and moorings within a lake require resource consent under the PDP, and the ORP:W. As such, there is no permitted baseline relevant to the placement of a structure on the lake bed. This appears to be accepted by the Applicant at Section 7.1 of the AEE in relation to the PDP only.

As for the effects of lake-bed disturbance associated with the removal and placement of a mooring under ORP:W Rule 13.5.1.1, it is a permitted activity to disturb the bed of a lake associated with the erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal of any structure that is fixed in, on, under or over the bed of any lake, provided standards are met. These include the following:

- the work is undertaken between 1 May and 30 September inclusive and Department of Conservation and Fish and Game are notified in advance;
- the lake bed disturbance is limited to the extent necessary to undertake the work;
- the work does not cause any flooding or erosion;
- the time taken to complete the works in the wetted bed of the lake does not exceed ten (10) hours in duration;
- reasonable steps are taken to minimise sediment release such that water clarity does not change within 200m downstream; and
- the site is left tidy.

In terms of the ongoing use of a structure, it is noted that through this consent, the proposed mooring will become lawfully established under the RMA, and therefore its ongoing use will be able to rely on permitted activity Rule 13.1.1.1 of the ORP:W, provided it is maintained in good repair. This is a relevant consideration in the assessment that follows. Similarly, if this consent is approved, the mooring will become authorised under the PDP and its ongoing use will essentially be “permitted” as a result.

The repair, maintenance, extension, alteration, replacement or reconstruction of a structure is also permitted by the ORP:W provided the structure is replaced or reconstructed in the same location as the original structure; and there is no permanent change to the scale, nature or functions of the structure.

It is considered the permitted baseline as it relates to the disturbance of the lakebed associated with the installation of the mooring, the ongoing use of this structure once lawfully established, and the maintenance and repair of the mooring to be of some relevance to the proposal. In an email dated 3.8.26, the Applicant confirmed that the work required to relocate M189 will comply with the permitted standards under the ORP:W⁴. As such this will be taken into consideration in the assessment that follows.

⁴ Any historic or future non-compliance of the permitted standards under the ORP:W is an Otago Regional Council monitoring and enforcement matter.

3.3.3 Assessment: Effects On The Environment

Taking into account sections 3.3.1 and 3.3.2 above, the following assessment determines whether the proposed activity will have, or is likely to have, adverse effects on the environment that are more than minor that will require public notification (s95A(8)(b)).

The Applicant seeks resource consent under both the ORP:W and the PDP to lawfully establish a swing mooring within the Frankton Arm of Whakātipu-Wai-Māori. An assessment relevant to each Council plan follows.

Expert reports

The following expert reports have been provided to assist the assessment of effects below:

- A navigational safety report prepared by QLDC's Harbourmaster, Mr Ricky Campbell, attached as *Appendix 2*.

A] Assessment under the QLDC Proposed District Plan

A restricted discretionary consenting pathway is provided for moorings and jetties located within the Frankton Arm of Whakātipu-Wai-Māori, where Council's discretion is restricted to the matters in Rule 21.15.7, which for completeness are repeated as follows:

- a. *whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;*
- b. *whether the structure causes an impediment to craft manoeuvring and using shore waters.*
- c. *the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;*
- d. *the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;*
- e. *whether the structure will be used by a number and range of people and craft, including the general public;*
- f. *the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design;*
- g. *whether the structure enables the use of public water ferry services and/or water based transport.*

Relevant to the above, the Applicant has provided an assessment of effects within the AEE at the following sections:

- i. Effects on landscape and visual amenity (Section 7.2);
- ii. Effects on navigation and water safety (Section 7.3);
- iii. Effects on recreational (Section 7.4);
- iv. Cumulative effects (section 7.5).

Of note, the other parts of the assessment contained within Section 7 of the AEE, being Sections 7.6 Effects on the lakebed and 7.7 Cultural Values, are not relevant to an assessment of the proposal under the PDP. These sections will be considered as part of the assessment of the ORP:W further below.

The Assessment of Effects provided at sections 7.2-7.5 of the Applicant's AEE is considered adequate and is therefore adopted in part for the purposes of this report with the following additional assessment in relation to navigation and water safety.

i. Navigation and water safety

As outlined in the QLDC Swing Mooring Booklet 2026 and within the mooring permit, the safety and maintenance of a mooring is the responsibility of the registered mooring owner. The whole system must be inspected every two years to remove kinks and replace worn components. Inspection must be

conducted by a suitably qualified professional. This requirement is consistent with the ORC permitted activity standards outlined in Section 3.3.2 above.

The Applicant has submitted a mooring inspection which was carried out on 24 April 2026 by Mr Garry Wright, who is accepted as being a suitably qualified professional to undertake this work. Based on the mooring specifications detailed within the inspection report, a maximum swing radius for M189 was able to be calculated. Swing radius is a circle on the water in which a vessel will rotate around its mooring block or anchor and takes into consideration the length of the berthed vessel, the depth of the mooring block, and the total length of “tackle”. The maximum swing radius is calculated at low water level, which is when the mooring “tackle” will be fully extended in high winds (or a high tidal flow), representing the maximum distance the vessel is from the mooring block.

Based on a total swing radius of 20.5 metres (including 9m vessel), the QLDC Harbourmaster initially identified that there was a swing radius conflict with adjacent mooring M81 (consented by RM230387), the location of which is shown in Figure 1 above. Before the QLDC Harbourmaster could support the application, he advised that the swing radius conflict would need to be addressed (and removed), recommending that the noted navigational safety hazard could be remedied by locating the mooring back to the position held in QLDC records (which, of note, aligns with the GPS coordinates cited in the AEE). The Applicant has since confirmed that they propose to move the mooring back to its recorded location.

On this basis, it is accepted that the amended mooring position is suitable. The mooring will be marked with a buoy to make it clearly visible, and its location will not impede any craft manoeuvring in this area.

Overall, it is considered that lawfully establishing M189 at the location proposed will result in no more than minor adverse effects on navigational safety on Whakātipu-Wai-Māori.

ii. Summary of effects under the PDP

Overall, given the assessment above and that within the AEE, it is considered that any adverse effects on the environment relating to an assessment under the matters of discretion outlined within the PDP will be no more than minor.

B] Assessment under the ORP:Water for Otago (ORP:W)

Under the ORP:W, the subject mooring is considered to raise actual or potential effects on the environment relating to the following matters:

- i. Effects on the lake bed/ecological values*
- ii. Effect on any natural and human use value identified in Schedule 1 of the ORP:W*

The Applicant has provided an assessment of effects at Sections 7.6 (Effects on the lakebed) and 7.7 (Cultural Values) of the AEE which relate to an assessment of the proposal under the ORP:W. This assessment is considered adequate and is adopted for the purposes of this report with the following additional assessment in relation to Schedule 1 of the ORP:W:

i. Effects on the lake bed/ecological values;

Consent is sought under the ORP:W to remove the existing swing mooring structure and place a permanent swing mooring structure on the lake bed. As noted in Section 3.3.2 above, the disturbance of the bed associated with the removal and placement of the mooring block is a permitted activity and will not be considered further.

In terms of ecological values, it is acknowledged that aquatic pest species are present in the lakes, including Lagarosiphon which is identified and controlled by the ORP:W. Lagarosiphon has the potential to be caught on vessels and transferred to other waterbodies, or be transferred to the Districts lakes where moorings are used by vessels that are also used in other waters. Moorings may encourage this transfer. Additionally, discharge of contaminants from vessels could also affect water quality including from fuel, oil or wastewater if discharged when moored. In an email dated 3.8.26, the Applicant volunteered conditions of consent to ensure that all reasonable precautions are taken to minimise the spread of pest plants and aquatic weed, and ensuring no waste product enters the lake when undertaking works to

remove/install the mooring blocks. Adverse effects on the environment in this regard are therefore considered to be no more than minor and appropriately remedied/mitigated.

Taking into consideration the volunteered conditions of consent which will ensure that no waste or toxins enter the lake, and that the spread of aquatic pest species is controlled, adverse effects on the environment in terms of lake bed disturbance and ecological values are considered to be no more than minor.

ii. Effect on the recognised values listed in the ORP:W

The ORP:W outlines the natural and human use values of various watercourses throughout the Otago Region. Whakātipu-Wai-Māori is identified within Schedule 1 of the ORP:W, as having specific values needing to be protected.

Schedule 1A of the ORP:W identifies the natural values associated with Whakātipu-Wai-Māori. It is recognised that the mooring subject to this application will alter the natural character of the lake, however this effect is considered to be less than minor. The proposed works will not affect ecology, natural flow characteristics or water quality of the lake.

Schedule 1B of the ORP:W identifies lakes and rivers where the water taken is used for public water supply purposes. There is one water supply within the Frankton Arm of Whakātipu-Wai-Māori, as identified in Schedule 1B of the ORP:W. However, the subject mooring (at the coordinates proposed) is not located within the vicinity of this, being separated by a considerable distance.

Schedule 1C lists registered historic places. For the purposes of an assessment under the ORP:W, there are no historic places/features listed within Schedule 1C of the ORP:W within the vicinity of the subject mooring.

Schedule 1D identifies the spiritual and cultural beliefs, values and uses associated with water bodies of significance to Kāi Tahu. As outlined in the assessment of cultural effects relevant to the QLDC application and PDP, the proposal can be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for Kāi Tahu. In particular, although the ORP:W recognises that the demolition or removal of a structure under Rule 13.4.1.1 will have less adverse effect than if the structure remained in the bed, given Whakātipu-Wai-Māori is identified in Schedule 1D of the ORP:W as being MA3 (waahi tapu), consent is sought to remove the block associated with the existing swing mooring system.

The Applicant has not been able to provide any information from Kāi Tahu on the effects its mooring may or may not have on Kāi Tahu cultural values. Consequently, without input from Kāi Tahu on cultural effects, the proposal has to be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for mana whenua. In considering the existing location of this mooring within an already modified environment with other surrounding moorings and jetties, it is considered that adverse cultural effects on the environment are minor.

iii. Summary of effects under the ORP:W

Overall, it is considered that any adverse effects on the environment in relation to effects on the lake bed/ecological values, and the values identified within Schedules 1A-1C of the ORP:W will be no more than minor. Adverse effects on the significance of Whakātipu-Wai-Māori to Kāi Tahu, as identified within Schedule 1D of the ORP:W, is considered to be minor.

3.3.4 Decision: Effects On The Environment (s95A(8))

On the basis of the above assessment, it is assessed that the proposed activity will not have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application.

4. LIMITED NOTIFICATION (s95B)

Section 95B(1) requires a decision on whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

4.1 Step 1: certain affected groups and affected persons must be notified

Determination under s95B(2)

The proposal does not affect protected customary rights groups, and does not affect a customary marine title group; therefore, limited notification under s 95B(2) is not required.

Determination under s95B(3)

The consent authority must determine –

- (a) *whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and*
- (b) *whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.*

The existing mooring will be removed and relocated to a new location where it will be located in and attached to the lakebed of Whakātipu-Wai-Māori, which is subject to a statutory acknowledgement made in accordance with the Ngāi Tahu Claims Settlement Act 1998 (which is an Act specified in Schedule 11 of the RMA).

In determining if the person to whom the statutory acknowledgement is made is an affected person under section 95E, the consent authority is not required to necessarily find Kāi Tahu affected, but requires the acknowledgement to be taken into account in determining whether they are affected (that is whether they are affected in a manner different from the public generally).

An assessment on whether Kāi Tahu is considered to be adversely affected follows:

Te Rūnanga / Rūnaka o Ngāi Tahu

The assessment contained within Section 3.3.3 against the Schedule 1D values under the ORP:W is relevant to an assessment of whether Ngāi Tahu (or Kāi Tahu) is considered to be adversely affected. Both the ORP:W and the QLDC PDP recognise Kāi Tahu as a partner in the management and protection of the Region/District's water resources through the implementation of these Plans, whereby it is acknowledged that input from Kāi Tahu (who are the Manawhenua of this District) is required in order to fully understand the effects that the proposed mooring within statutory acknowledgement and wāhi tūpuna areas have on cultural/spiritual values. As stated in section 3.3.3 of this report, the application does not contain information from Kāi Tahu on the effects its mooring may or may not have on Kāi Tahu cultural values.

The proposed mooring involves the removal of an existing structure from the lakebed, and the replacement with another permanent structure on the bed Whakātipu-Wai-Māori in the form of a swing mooring system. The proposal can therefore be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for Manawhenua.

Based on the conclusions reached within Section 3.3.3 of this report, and taking into consideration the statutory acknowledgement of Whakātipu-Wai-Māori, the effects on Kāi Tahu will be minor for the purposes of section 95E of the RMA.

Accordingly, Kāi Tahu, whose interests in the Queenstown Lakes District are represented by Aukaha and Te Ao Marama Incorporated, is determined to be an affected person under section 95E (s95B(3)).

4.2 Step 2: if not required by Step 1, limited notification precluded in certain circumstances

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification (s95B(6)(a)).

Limited notification is not precluded under Step 2 as the proposal is not for a controlled activity (s95B(6)(b)).

4.3 Step 3: if not precluded by Step 2, certain other affected persons must be notified

If limited notification is not precluded by Step 2, a consent authority must determine, in accordance with section 95E, whether the following are affected persons:

Boundary activity

The proposal is not a boundary activity.

Any other activity

The proposal is not a boundary activity and therefore the proposed activity falls into the ‘any other activity’ category (s95B(8)), and the adverse effects of the proposed activity are to be assessed in accordance with section 95E.

4.3.1 Considerations in assessing adverse effects on Persons (S95E(2)(a)-(c))

- a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect (a “permitted baseline”). Section 3.3.2 above sets out the relevance of the permitted baseline to this application.
- b) The consent authority **must** disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and
- c) The consent authority **must** have regard to every relevant statutory acknowledgement specified in [Schedule 11](#).

4.3.1 [iii] Persons who have provided written approval (s95E(3))

The persons identified in Section 3.3.1 above have provided their **written approval** and as such adverse effects on these parties are disregarded for the purpose of s95E(3).

4.3.2 Assessment: Effects on Persons

Taking into account the exclusions in sections 95E(2) and (3) as set out in section 4.3.1 above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor:

Surrounding land owners:

The properties accessed from Peninsula Road overlook the proposed mooring location, although they are separated from the Lake by the foreshore reserve, as can be seen in Figure 1 above.

As outlined in Section 3.3.3 above, mooring M189 forms an anticipated part of the Frankton Arm. The proposed new location for this mooring remains within a cluster of existing moorings and adjacent to nearby features such as a jetties. Further, the proposed mooring is a small element in the context of the surrounding landscape.

Overall, adverse effects associated with landscape and amenity values on owners and occupiers of surrounding properties will be less than minor.

Adjacent mooring permit holders:

As noted earlier in this report under navigational safety (Section 3.3.3 above), the QLDC Harbourmaster has confirmed that there are no navigational safety hazards associated with the proposed new location for M189, including a swing radius conflict, therefore adjacent permit holders are not considered to be adversely affected by the proposal.

4.3.3 Decision: Effects on Persons (s95E(1))

The persons considered affected pursuant to section 95E of the RMA and therefore to be served notice of the application are illustrated and tabled as follows:

Person (owner/occupier)	Address (location in respect of subject site)
Aukaha	N/A
Te Ao Marama Incorporated	N/A

4.4 Step 4 – Further Notification in Special Circumstances (s95B(10))

Special circumstances do not apply that require limited notification.

5. NOTIFICATION DETERMINATION

For the reasons set out in sections 3 and 4 of this notification decision report, under s95A and s95B of the RMA, the application is to be processed on a limited notified.

Prepared by

Decision made by




Rebecca Holden
CONSULTANT PROCESSING PLANNER

Jane Sinclair
INDEPENDENT COMMISSIONER

6.0 APPENDICES LIST

APPENDIX 1 – Applicant's AEE

APPENDIX 2 – Navigational Safety Report - M189

APPENDIX 1 – APPLICANT’S AEE

PREPARED FOR STEVEN HODGSON
3 MARCH 2026
#J2571

ASSESSMENT OF ENVIRONMENTAL EFFECTS

RETROSPECTIVE RESOURCE
CONSENT TO ESTABLISH MOORING
#189 ON THE BED OF LAKE WAKATIPU

NORTH OF 451 PENINSULA ROAD,
KELVIN PENINSULA.

vivian+espie
resource management and landscape planning

Contents

1.	Key Information	3
2.	Introduction	4
3.	Existing Environment	4
3.1	Subject site and surrounding environment.....	4
3.2	Background	5
4.	The Proposal.....	6
5.	Matters Requiring Consent	7
5.1	Operative District Plan	7
5.2	Proposed District Plan	7
5.4	Otago Regional Plan: Water	8
5.5	Summary of Consents Required.....	8
5.6	Scope of Application	9
6.	Statutory Considerations.....	9
6.1	Section 104 – Matters for Assessment	9
6.2	Section 104B and Section 104D – Non-Complying Activities	9
7.	Assessment of Environmental Effects.....	9
7.1	Permitted Baseline	10
7.2	Effects on landscape and visual amenity.....	10
7.3	Navigation and water safety	10
7.4	Effects on recreation	11
7.5	Cumulative effects.....	11
7.6	Effects on the lakebed.....	11
7.7	Cultural Values.....	12
7.7.1	Kāi Tahu Ki Otago Natural Resource Management Plan 2005	12
	Chapter 5: Otago Region	12
7.7.2	Kāi Tahu Ki Otago Natural Resource Management Plan 2005	13
	Chapter 10: Clutha/Mata-au Catchments.....	13
7.7.3	Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008	14
7.7.4	Chapter 39 PDP: Wāhi Tūpuna	15
7.8	Summary.....	15
8.	Effects on persons	15
9.	Notification Assessment.....	15
9.1	Public Notification	15
9.2	Limited Notification.....	16
10.	Policy Framework.....	17
10.1	Otago Regional Policy Statement 2019	17
10.2	Proposed Otago Regional Policy Statement 2021 – Appeals Version	17
10.3	Otago Regional Plan: Water for Otago	18
10.4	Operative District Plan	19
10.5	Proposed District Plan	19
11.	Other Matters	21
11.1	QLDC Navigation Safety Bylaw 2025	21
11.2	Otago Regional Council Navigation Safety Bylaw 2020	21
11.3	National Policy Statement for Freshwater Management 2020 updated 2025 (NPS-FM)	22
12.	Conclusion	22

Attachments

Attachment [A]: Form 9

Attachment [B]: Location Plan

Attachment [C]: Mooring Inspection Report

Attachment [D]: Mooring Permit #189

Attachment [E]: ORC to QLDC transfer of powers

Quality assurance

Prepared by	Kylie Columb	Planner	3 March 2026
Reviewed by	Blair Devlin	Director/Senior Planner	3 March 2026

1. Key Information

Address	Southern shore of Frankton Arm of Lake Wakatipu, north of 451 Peninsula Road, Kelvin Peninsula GPS location: Latitude 45.038215S/Longitude 168.693779E
Legal Description	N/A – Lake Bed
Site Area	N/A
Owners	Land Information New Zealand (LINZ) is the administrator for the Lake Bed
Occupiers	N/A
Applicant	Steven James Hodgson
Operative District Plan Zoning	Rural General Zone (Water)
Designations & Special Provisions	Within an area identified as 'All structures and moorings non-complying except for jetties and boatsheds'
Proposed District Plan Zoning	Rural Zone (Water)
Designations & Special Provisions	Wahi Tupuna Number 33– Whakatipu-wai-Maori (Lake Wakatipu)
Proposed Activity	Retrospective resource consent to establish mooring #189 on the bed of Lake Wakatipu for personal use, directly north of 451 Peninsula Road, Kelvin Peninsula.
Consents Required	Operative District Plan Rural General Zone: The Proposed District Plan rules identified below are not under appeal. The equivalent rules of the ODP must now be treated as inoperative pursuant to section 86F of the RMA. Proposed District Plan Rural Zone: • Rule 21.15.7 for moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application shall be a restricted discretionary activity. Discretion is restricted to matters listed a-g. • Rule 21.15.8 for moorings that pass across or through the surface of any lake, shall be a discretionary activity. Otago Regional Plan: Water • A discretionary activity pursuant to Rule 13.2.3.1 as the proposal involves the (retrospective) placement of a structure, fixed in, on, under or over the bed of a lake. Overall, the proposal is a discretionary activity.
Written Approvals/Consultation	• Consultation is underway with Land Information New Zealand (LINZ). • The applicant has not consulted with Aukaha or Te Ao Mārama Incorporated as it is anticipated that the application will progress on a (limited) notified basis.
Other consents/permits	Mooring Permit 189: Attachment [D]

2. Introduction

This report is submitted as part of the application by Steven Hodgson ("the Applicant") for a retrospective resource consent to establish a mooring on the southern shore of the Frankton Arm of Lake Wakatipu, off Kelvin Peninsula in Queenstown. The completed application form for 'Resource Consent for Water Based Activity' is appended as Attachment [A] and a location plan is appended as Attachment [B]. The purpose of this report is to provide sufficient information to enable a full understanding of the proposal and any effects that the proposal may have on the environment.

3. Existing Environment

3.1 Subject site and surrounding environment

The proposed mooring is located in the southern shore of the Frankton Arm of Lake Wakatipu, adjacent to the Kelvin Heights Peninsula as indicated in Figure 1 below. The proposed mooring is formally known as mooring #189 in Council records. The GPS location of the mooring is longitude 168.693779E / latitude -45.038215S, which is approximately 45m north of the lake shore, adjacent to the applicant's property at 451 Peninsula Road, Kelvin Heights (refer to figure 2). A location plan is appended as Attachment [B].



Figure 1: Location of proposed mooring indicated by the yellow pin (identified on Google Earth using the GPS co-ordinates)



Figure 2: Location of proposed mooring off the shores of the Kelvin Heights Peninsula – source QLDC GIS

The proposed mooring is one of the many moorings, jetties and boat sheds located along the shores of the Frankton Arm, and the small bays of the Kelvin Heights waterfront on Lake Wakatipu. Jetty #20B is also connected to the applicant's property and is in very close proximity to mooring #189 (refer to Figure 2). The applicant acquired the consented Jetty (RM930543) approximately 19 years ago as part of the sales and purchase agreement when he purchased 451 Peninsula Road, and he has been maintaining, enjoying, and paying QLDC Permit fees for the Jetty since its acquisition.

To the south of the mooring (on the landward side of the shore) is the Kelvin Heights Walking Trail. The area between the trail reserve and Lake Wakatipu contains a mixture of exotic trees and shrublands with patches of exotic grasses. To the west is the Wakatipu Yacht Club and Queenstown Golf Course and to the far east is the Hilton Hotel and associated commercial developments.

The wider surrounding built form consists of lower density suburban residential development, newly developed residential areas, public picnic areas and playgrounds. The surrounding natural environment is the renowned Lake Wakatipu encompassing Frankton Arm, with backdrops of Deer Park Heights, Queenstown Hill, Ben Lomond and the Remarkables Mountains.

3.2 Background

Like the Jetty, the applicant acquired the mooring when he purchased the property at 451 Peninsula Road. It is unclear exactly when the mooring was established and no clear records of its approval are available, however it is likely to have been around the 1960's when a holiday home was first constructed on the property. The 1960's predated the RMA; therefore, no resource consent exists for the original establishment of the mooring. It is possible that an approval was obtained under the (now repealed) Harbours Act, that governed moorings in Lake Wakatipu

pre-RMA, however records of the Harbours Act are not readily obtainable. Since its acquisition approximately 19 years ago, the applicant has obtained mooring permits through QLDC and paid the associated licensing fees (current mooring permit appended as Attachment [D]).

It is noted that Jetty #20B does have a current resource consent. In 1994, the previous owners of 451 Peninsula Road applied for resource consent to rebuild and modify the existing Jetty structure adjacent to the property; RM930543 was granted in April 1994 (a copy of this consent is not included with this application but can be provided on request). The Jetty is therefore considered to be a lawfully established structure that is linked to the applicant's property, 451 Peninsula Road.

Retrospective resource consent is now being sought to formally establish mooring #189 in order to comply with the recent QLDC mooring consent requirements, and to ensure the mooring is compliant and up to date with statutory requirements.

4. The Proposal

This is a proposal to seek retrospective resource consent to formally establish mooring #189 for the personal use of the applicant, who has a home and a jetty in close proximity to the mooring at 451 Peninsula Road, Kawarau Heights.

As mentioned above, the GPS location of the mooring is longitude 168.693779E / latitude -45.038215S, which is approximately 45m north of the lake shore (location plan appended in Attachment [B]). The mooring is a swing mooring attached with a chain, extending from a two-ton mooring block to the surface of the lake similar to the 'Mooring System' diagram in Figure 3. Two orange buoys are attached to the chain and are the only component visible on the surface of the lake.

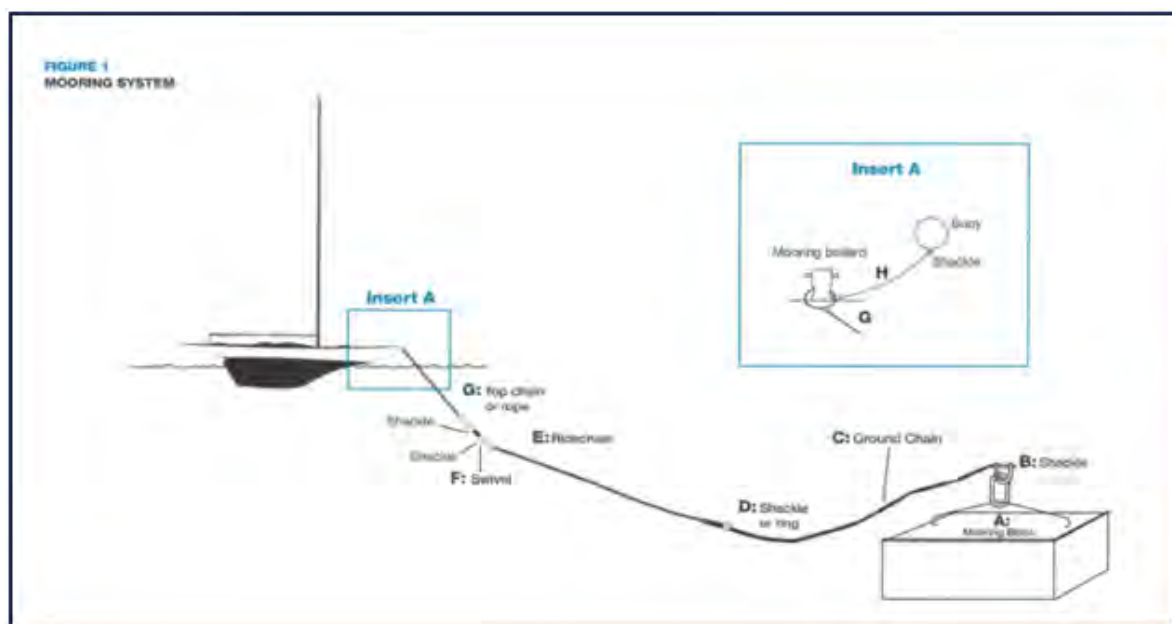


Figure 3: Diagram of the mooring system

The applicant has owned the property for approximately 19 years and is of the understanding that the jetty and mooring have always been connected to 451 Peninsula Road. While it is unclear exactly when the mooring was established in the lakebed, both structures were likely to have been constructed in/around the 1960's when a dwelling was built on the property.

To accompany this application, a formal inspection of the mooring was undertaken on 14th December 2025 by Simeon Diving Services Ltd. The Report on this inspection is appended as Attachment [C], and states that the mooring block, rings, shackles and chains of the mooring system are in new/good condition and no repairs were required. It is anticipated that the mooring will be inspected every 2 years by a suitably qualified professional as per the QLDC Swing Moorings Booklet – January 2026. The current QLDC mooring permit, which is valid from 1 July 2025 – 30 June 2026, is appended as Attachment [D].

5. Matters Requiring Consent

5.1 Operative District Plan

The subject site is zoned Rural General under the Operative District Plan. There are no relevant rules under the ODP as the relevant rules under the PDP must now be treated as operative pursuant to s86F.

5.2 Proposed District Plan

The subject site is zoned Rural (Water) and the proposal requires consent under the following rules:

- A restricted discretionary activity pursuant to Rule 21.15.7 for moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application. Discretion is restricted to the following matters.
 - a. whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;
 - b. whether the structure causes an impediment to craft manoeuvring and using shore waters.
 - c. the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
 - d. the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;
 - e. whether the structure will be used by a number and range of people and craft, including the general public;
 - f. the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design; and
 - g. whether the structure enables the use of public water ferry services and/or water based transport.
- A discretionary activity pursuant to Rule 21.15.8 for moorings that pass across or through the surface of any lake.



Figure 4: Proposed mooring indicated by yellow star. The orange line shows the PDP GIS web mapping application indicating that structures and moorings are a restricted discretionary in the Frankton Arm

Overall, the proposal is a discretionary activity.

5.4 Otago Regional Plan: Water

In 1993 a deed was made to transfer the power to determine applications for land use consent for activities / structures affecting lakes from the Otago Regional Council (ORC) to the Queenstown Lakes District Council (QLDC) pursuant to Section 13(1)(a) of the RMA (refer to Attachment [E]). In accordance with the aforementioned deed the application has been considered under the relevant provisions of the Regional Council Plan: Water. The proposal requires consent under the following rule:

- A discretionary activity pursuant to Rule 13.2.3.1 as the proposal involves the (retrospective) placement of a structure, fixed in, on, under or over the bed of a lake.

As the mooring block is already in place, no consents are sought to discharge sediment associated with placement of the mooring block on the lakebed.

Overall, the application is considered to be a discretionary activity under the ORC Regional Water Plan.

5.5 Summary of Consents Required

The application is considered to be:

- a discretionary activity under the PDP; and
- a discretionary activity under the ORC regional Water Plan

Overall, the activity status is considered to be a discretionary activity.

5.6 Scope of Application

This application is for all matters requiring resource consent under the District Plans, rather than for the specific list of consent matters / non-compliances identified above by the author. As such, if the Council is of the view that resource consent is required for alternative or additional matters to those identified in this Assessment of Effects on the Environment (AEE), it has the discretion to grant consent to those matters as well as or in lieu of those identified in this AEE. If the Council is of the view that the activity status of any of the matters requiring consent is different to that described in this AEE, or that some or all of the matters requiring consent should be bundled or unbundled in a way that results in a different outcome to that expressed in this AEE, the Council has the ability under Section 104(5) of the RMA to process the application regardless of the type of activity that the application was expressed to be for.

6. Statutory Considerations

6.1 Section 104 – Matters for Assessment

Section 104(1) of the Act requires the Council to have regard to the following matters, subject to Part 2 of the Act:

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (b) *any relevant provisions of –*
 - (i) *a national environmental standard;*
 - (ii) *a national policy statement;*
 - (iii) *a regional policy statement or proposed regional policy statement;*
 - (iv) *a plan or proposed plan; and*
- (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

Section 104(2) of the RMA states that, in considering the effects on the environment of allowing an activity, a consent authority may disregard an adverse effect if a national environmental standard or the plan permits an activity with that effect.

Section 104(3) states that a consent authority must not have regard to trade competition or the effects of trade competition, or any effect on a person who has given written approval to the application.

6.2 Section 104B - Discretionary Activities

Under section 104B, a consent authority processing an application for a discretionary activity may grant or refuse a resource consent application, and if it grants the application, may impose conditions under section 108.

7. Assessment of Environmental Effects

The assessment matters listed within PDP Rule 21.15.7 (a-g) for jetties and moorings in the Frankton Arm have been used as a basis to structure the assessment of effects, which have been summarised into the following headings.

- Landscape, visual and amenity
- Navigation and water safety
- Effects on recreation

- Cumulative effects
- Effects on the lakebed
- Cultural Values

7.1 Permitted Baseline

Minor repairs, maintenance or alterations of existing operational jetties and moorings are a permitted activity. However, as no records can be found in relation to the establishment of the mooring many years ago, the permitted baseline is not considered to apply.

7.2 Effects on landscape and visual amenity

When the mooring is not in use, the two small orange buoys are the only component visible on the surface of the lake. Given the small scale of these visible elements and their location amongst several other existing moorings, it is considered that the mooring will not be visibly prominent and will be compatible with the existing pattern of water based activity in the local vicinity. The mooring, along with Jetty #20B, have been used, maintained and enjoyed by Steven Hodgson and his family for the past 19 years, and likely for many years prior by the previous owners. It is understood that both structures have always been linked to 451 Peninsula Road. As such, it is considered that these features form part of the established visual character of this part of lake.

At this time, the applicant does not own a boat, however any future boat attached to the mooring is likely to be a typical private recreational motor craft less than 9m in length, as per the QLDC Jetties and Moorings Policy 2007. The applicant is willing to accept a condition of consent that the details of the boat to be attached to the mooring be submitted to Council should they purchase a boat in the future.

When the mooring is occupied by a boat, the mooring will be visible to a wider catchment area, however it will be viewed in the context of other boats and water based activities, and against a backdrop of residential development. Peninsula Road, the Kelvin Heights Trail, the lake edge vegetation and reserve area provide an element of separation from the lake shore and the surrounding residences. This section of the Peninsula is a developed residential zone, such that it is considered that a boat on the lake will be in keeping with the modified character of the area and not dominate or detract from public or private views.

Overall, it is considered that the proposed mooring accords with the anticipated landscape character of the surrounding environment. Any adverse effects on landscape, visual and amenity values are considered to be less than minor.

7.3 Navigation and water safety

The mooring is approximately 45m north of the lake shore and approximately 40m away from Jetty #20B, the closest jetty. The area is not used by the water taxi service and is not a main thoroughfare for boating activities. The applicant does not have a boat at present, however conditions of consent are anticipated to limit any future vessel to be anchored at the mooring to a maximum length of 9m, as per the QLDC Jetties and Moorings Policy 2007. A mooring inspection has been undertaken and concludes that all hardware is in new/good condition

(inspection report appended as Attachment [C]. It is expected that the QLDC Harbour Master will provide formal feedback to Council once this application is lodged.

The mooring is located at depth and does not present a navigational safety issue even at low lake levels. Subject to any recommendations from the Harbour Master and with regard to the mooring system, location and vessel size, this proposal is not considered to interfere with navigation or impose any undue safety risk to other lake users.

7.4 Effects on recreation

The Kelvin Peninsula trail passes directly adjacent to the mooring location. The Frankton Arm is also frequently used for recreational boating. The type of recreational experience varies depending on the activity undertaken, however with all activities (i.e. walking, running, cycling, motorised boating/non-motorised boating), the mooring is not anticipated to physically prevent the recreational activity from occurring for example it will not prevent this part of the lake being used for kayaking or swimming. Nor will it diminish the recreational experience of people using public areas around the shoreline. Any boat which will be attached to the mooring may provide a point of visual interest for pedestrians on the Kelvin Peninsula trail, however this is not considered to adversely affect the recreational experience of users.

7.5 Cumulative effects

In considering cumulative effects of the proposal on the natural landscape, particular regard has been given to the extent existing and potential development may already have compromised the visual coherence and naturalness of the landscape. However, the location of the mooring within an existing cluster of existing moorings and jetties is not considered to give rise to any *adverse* cumulative effects. Rather the mooring will reflect and fit the existing character of this part of the lake. As noted earlier, it is unknown exactly when the mooring was established in the lake, it has however always been connected to the applicant's property. In addition, the spread of moorings along the foreshore area is contained within the immediate vicinity of existing boating structures meaning the encroachment out into the lake is minimised.

7.6 Effects on the lakebed

The mooring block has already been constructed and is already located on the bed of the lake. Retrospective resource consent from ORC is also sought as part of this application. As the block has already been installed, no additional works are proposed and therefore the proposal will not result in additional disturbance of the lakebed. The mooring block chain is not scouring the lake bed. In addition, as per the QLDC Swing Mooring Booklet – January 2026, it is a requirement that the whole system must be inspected every two years to evaluate its condition and replace worn components, and inspection must be conducted by a suitably qualified professional. A condition of consent with regard to regular inspection is anticipated, which will help to protect the natural ecosystems of Lake Wakatipu and the lakebed.

7.7 Cultural Values

Lake Wakatipu is identified as a Statutory Acknowledgement Area under the Ngai Tahu Claims Settlement Act 1998. The mooring is located within Wāhi Tūpuna Site 33 as specified in Schedule 39.6 of the PDP. In this schedule, Whakātipu-wai-Māori (Lake Wakatipu) is recognised as being key in numerous Kāi Tahu pūrakau (stories) and has a deep spiritual significance for mana whenua. For generations, Whakātipu-wai-Māori also supported nohoaka (seasonal settlements), kāika (settlements), mahika kai (food gathering) as well as transportation routes for pounamu.

Accordingly, the following documents have been reviewed in the context of this application:

- Kāi Tahu Ki Otago Natural Resource Management Plan 2005
- The Cry of the People, Te Tangi a Tauira – Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

In addition, an assessment of the Wahi Tupuna chapter of the PDP (Chapter 39) has been included in this section. Consideration of other relevant objectives and policies is provided in section 10.

7.7.1 Kāi Tahu Ki Otago Natural Resource Management Plan 2005 Chapter 5: Otago Region

The Kai Tahu Iwi Management Plan sets out the issues, objectives and policies related to the management of the natural environment covering Ngai Tahu's tribal area, including Lake Wakatipu. Chapter 5 of the Kāi Tahu Iwi Management Plan discusses general issues, objectives and policies for all catchments across the Otago region. A summary of the most relevant provisions is provided in the table below.

5.3.2 Wai Maori General Issues	• Current water management does not adequately address Kāi Tahu ki Otago cultural values. • Cross mixing of water. • Deteriorating water quality. • Lack of consideration given to Kāi Tahu ki Otago cultural values in water research. • The fundamental question of ownership of water resources remains unresolved. • Damming. • Lack of adequate minimum flows that provide for Kāi Tahu ki Otago cultural values. • Setting of minimum flows may not appropriately consider social, biological and cultural needs.
5.3.3 Wai Maori General Objectives	i. The spiritual and cultural significance of water to Kāi Tahu ki Otago is recognised in all water management. ii. The waters of the Otago Catchment are healthy and support Kāi Tahu ki Otago customs. iii. There is no discharge of human waste directly to water. iv. Contaminants being discharged directly or indirectly to water are reduced. v. Flow regimes and water quality standards are consistent with the cultural values of Kāi Tahu ki Otago and are implemented throughout the Otago Region and lower Waitaki Catchment.
5.3.4 Wai Māori General Policies	1. To require an assessment of instream values for all activities affecting water. 2. To promote the cultural importance of water to Kāi Tahu ki Otago in all water management within the Otago Region and Lower Waitaki Catchment. 3. To promote co-ordinated research into water-related issues that provides for Kāi Tahu ki Otago input. 4. To protect and restore the mauri of all water. 5. To encourage the use of the Cultural Health Index as a tool for monitoring waterways.

	6. To oppose any further cross mixing of waters. 7. To promote to the Otago Regional Council and Environment Canterbury minimum flow levels, flow regimes, lake levels and lake operating levels for lakes and rivers that recognise and provide for Kāi Tahu ki Otago cultural values and the healthy functioning of associated ecosystems.
5.8.1.6-8 Cultural Landscape policies	To require that jetties and other structures in the foreshore area are controlled to minimise adverse environmental impacts and to ensure access by Kāi Tahu ki Otago to culturally significant areas.

The waterways of Otago are a significant feature of the region, and water plays an important role in the spiritual beliefs and cultural traditions of Kāi Tahu. While the issues, objectives and policies outlined in the table are quite broad in scope, in terms of this proposal, the location and use of the mooring will minimise adverse environmental effects and not unduly restrict access to Lake Wakatipu or to culturally significant areas. Regular maintenance of the mooring (2 yearly inspections as per QLDC requirements) will contribute to healthy water quality and ecosystems. As the mooring has already been established on the lakebed, no further disturbance to the lakebed is required as part of this proposal. The proposal is considered to be consistent with the intention of Chapter 5 of the Kāi Tahu Iwi Management Plan.

New jetties and moorings are “controlled” through the PDP which ensures adverse effects are minimised.

7.7.2 Kāi Tahu Ki Otago Natural Resource Management Plan 2005

Chapter 10: Clutha/Mata-au Catchments

Chapter 10 also contains separate issues and policies for matters such as: Wai Māori; Wahi Tapu; Mahika Kai and Biodiversity; and Cultural Landscapes. The following is an assessment of the proposal against the Cultural Landscapes chapter, which is the most relevant to this application.

10.5.2 Cultural Landscapes Issues in the Clutha/Mata-au Catchment	Extensive spread of jetties and moorings in particular in Lake Wakatipu, Lake Wānaka and Lake Hāwea and adjacent to nohoaka sites.
10.2.3 Jetties and Moorings	6. To require the development of a strategy in conjunction with the Queenstown Lakes District Council to investigate the viability of public moorings in the Queenstown Lakes District. 7. To require that all moorings situated in the vicinity of nohoaka and camping sites to be publicly available. 8. To require jetties to be at a fixed location and any effects of earthworks or from the ongoing operation of jetties and be remedied or mitigated. 9. To require jetties and moorings to be located where they will not impede or restrict access to lakes, rivers and wetlands.

As noted in the table above, the ‘extensive spread of jetties and moorings’ is raised as an ‘issue in’ the Kai Tahu Iwi Management Plan. The relevant Policy 6 is to require development of a strategy with QLDC to investigate the viability of *public moorings*. There is no known strategy with QLDC regarding public moorings, and the proposal is for retention of an existing private mooring. Policy 6 therefore is aimed more at QLDC and does not apply to the proposal.

The proposed mooring is to be located in close proximity to other moorings and jetties in a reasonably domesticated area. As mentioned, moorings along the foreshore in this part of the Frankton Arm are contained

within the immediate vicinity of existing boating structures, thereby reducing the spread of moorings across the wider unoccupied and undeveloped areas of Lake Wakatipu.

With regard to provision 10.2.3, the mooring is not known to be situated in the vicinity of any nohoaka and camping sites. Nor will it unduly impede or restrict access to Lake Wakatipu. Based on the guidance available from the Kai Tahu Ki Otago Natural Resource Management Plan 2005, the proposal will not adversely affect cultural values.

7.7.3 Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

This iwi management plan sets out objectives and policies related to Climate Change, Air, High Country and Foothills for the entire Otago Region. The following table highlights the provisions that are most relevant to this proposal.

3.4	High Country and Foothills
3.4.9	General Water Policy
3.4.9-1	Ensure protection and enhancement of the mauri or life supporting capacity of all high country and foothill waterways.
3.4.9-2	Advocate that all management decisions shall take into account the protection and survival of indigenous species of flora and fauna (rare and not rare and including taonga species contained in the Ngāi Tahu Claims Settlement Act 1998) in their natural habitats and ecosystems.
3.4.9-12	Promote the use of native species in new developments as a means of reducing the risk of plant pest spread.
3.4.14	<i>Protecting sites of significance in High Country and Foothill Areas</i>
3.4.14-1	Ensure that Ngāi Tahu ki Murihiku are able to effectively exercise their role as kaitiaki over wāhi tapu and wāhi taonga in Murihiku.
3.4.14-6	Avoid compromising unidentified, or unknown, sites of cultural significance as a consequence of ground disturbance associated with land use, subdivision and development.
3.4.14-9	Applications for activities in areas of cultural significance where there are no known sites but the likelihood of finding sites is high, may require one or more of the following (at the cost of the applicant): a. site visit; b. archaeological survey (walk over/test pitting), or a full archaeological description, by an archaeologist approved by Ngāi Tahu Ki Murihiku; c. cultural impact assessment; d. cultural monitoring; e. accidental discovery protocol agreement; archaeological authority; f. other (e.g. consent conditions).
3.4.14-12	Ensure that resource consent applicants are aware that liaising with iwi on the cultural impacts of a development does not constitute an archaeological assessment or iwi approval for a given proposal. An archaeological assessment requires follow up in respect to consultation.

The site is identified as wahi tupuna and is not wahi tapu or wahi taonga. The proposal avoids the compromising of unidentified sites of cultural significance as no further ground disturbance to the lakebed is required. The proposed mooring does not restrict or impede access to existing sites of significance. While this iwi management plan is more of a 'high level' document it has still been given relevant consideration in the context of this application. Overall, the proposal is not considered to be contrary to the policies outlined above.

7.7.4 Chapter 39 PDP: Wāhi Tūpuna

Chapter 39 seeks to ensure that activities within identified wāhi tūpuna areas are appropriately managed to protect manawhenua values within those areas. Wāhi Tūpuna 33 is Whakātipu-wai-Māori (Lake Wakatipu). Identified threats for this wāhi tūpuna include:

- a. Damming, activities affecting water quality*
- b. Buildings and structures, utilities*
- c. Earthworks*
- d. Subdivision and development*
- e. New roads or additions/alterations to existing roads, vehicle tracks and driveways*
- f. Commercial and commercial recreational activities*

This proposal is not considered to give rise to any of the abovementioned threats to Wāhi Tūpuna 33. No physical works are required to the lakebed or the surface of the lake that will affect water quality. This mooring is for the personal use of the applicant and will not be used for commercial purposes. No adverse effects are anticipated with regard to Whakātipu-wai-Māori and the associated manawhenua values.

7.8 Summary

The proposed mooring has already been established on the lakebed of Lake Wakatipu. The mooring has been used and maintained in conjunction with Jetty #20B since the applicant purchased the property at 451 Peninsula Road, approximately 19 years ago. While there are no records available of its construction, it is likely the mooring was utilised by the previous owners for many years prior (since the 1960s) and therefore forms part of the established visual character of this part of lake. Overall, the relevant effects (guided by the matters of discretion) have been considered, and the assessment of environmental effects above concludes that proposed mooring #189 will not result in adverse effects on the environment that are more than minor.

8. Effects on persons

The mooring is located on the lakebed which is administered by the Land Information New Zealand (LINZ) on behalf of the Commission of Crown Lands. Consultation is currently underway with Land Information New Zealand. The applicant has not consulted with Aukaha or Te Ao Mārama Incorporated as it is anticipated that the application will progress on a (limited) notified basis.

9. Notification Assessment

9.1 Public Notification

Step 1 – Mandatory public notification

- We are not requesting public notification of the application.
- Provided a request is reasonable, we are unlikely to refuse to provide further information or refuse the commissioning of a report under Section 92(2)(b) of the Act. The application does not involve exchange of recreation reserve land.

- The application does not seek to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

Accordingly, mandatory public notification of the application is not required.

Step 2 – Public notification precluded

- Public notification is not precluded by any rule or national environmental standard.
- The proposal is not for a controlled activity or a boundary activity.
- The proposal is not a prescribed activity

Accordingly, public notification of the application is not precluded.

Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

- There are no rules or NES that require public notification.
- The proposal will not have adverse effects that are more than minor.

Step 4 – Special circumstances (s95(9))

- No special circumstances exist in relation to this application.

This application can be processed without public notification.

9.2 Limited Notification

Step 1 – Certain affected groups and affected persons must be notified

- Lake Wakatipu is a statutory acknowledgement area. As Aukaha and Te Ao Marama have not been consulted and therefore have not provided their written approval, this will trigger the requirement for affected persons under step 1.

Step 2 – Limited notification precluded in certain circumstances

- Not applicable as limited notification is required by step 1.

Step 3 – Certain Affected Persons Must be Notified

- Consideration of affected parties is required in accordance with section 95E. LINZ, as the owner of the lake bed, Aukaha and Te Ao Marama are considered to be affected in a minor way by the proposal.

Step 4 – Special circumstances

- No special circumstances exist in relation to this proposal.

This application must be processed on a limited-notified basis.

10. Policy Framework

10.1 Otago Regional Policy Statement 2019

Otago's Regional Policy Statement (ORPS) became fully operative on 4 March 2024. Regional and District Plans must give effect to it. The relevant objectives and policies are contained within Part B, Chapter 3 of the RPS as follows:

Objective 3.1 - The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded

Policy 3.1.1 Fresh water

Safeguard the life-supporting capacity of fresh water and manage fresh water to:

a) Maintain good quality water and enhance water quality where it is degraded, including for:

- i. Important recreation values, including contact recreation; and,*
- ii. Existing drinking and stock water supplies;*

b) Maintain or enhance aquatic:

- i. Ecosystem health;*
- ii. Indigenous habitats; and,*
- iii. Indigenous species and their migratory patterns.*

....

d) Maintain or enhance, as far as practicable:

- i. Natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;*
- ii. Coastal values supported by fresh water;*
- iii. The habitat of trout and salmon unless detrimental to indigenous biological diversity; and*
- iv. Amenity and landscape values of rivers, lakes, and wetlands;*
- e) Control the adverse effects of pest species, prevent their introduction and reduce their spread;*

Policy 3.1.2 Beds of rivers, lakes, wetlands, and their margins

Manage the beds of rivers, lakes, wetlands, their margins, and riparian vegetation to:

- a) Safeguard the life supporting capacity of fresh water;*
- b) Maintain good quality water, or enhance it where it has been degraded;*

...

d) Maintain or enhance ecosystem health and indigenous biological diversity;

e) Maintain or enhance, as far as practicable:

- i. Their natural functioning and character; and*
 - ii. Amenity values;*
 - f) Control the adverse effects of pest species, prevent their introduction and reduce their spread;*
- and, ...*

Water quality, the natural functioning of the lake and the amenity and landscape values of Lake Wakatipu will be maintained. At a high level, the proposal is considered to be in accordance with the relevant objectives and policies within the RPS.

10.2 Proposed Otago Regional Policy Statement 2021 – Appeals Version

The Proposed Otago Regional Policy Statement 2021 (pRPS 21) was notified on 26 June 2021 sets the direction for future management of Otago's natural and physical resources.

LF-WAI-O1 – Te Mana o te Wai

Otago's water bodies and their health and well-being are protected, and restored where they are degraded, so that the mauri of those water bodies is protected, and the management of land and water recognises and reflects that:

- (1) water is the foundation and source of all life – *na te wai ko te hauora o ngā mea katoa*,
- (2) there is an integral kinship relationship between water and Kāi Tahu *whānui*, and this relationship endures through time, connecting past, present and future,
- (3) each water body has a unique *whakapapa* and characteristics,
- (4) fresh water, land, and coastal water have a connectedness that supports and perpetuates life,
- (4A) protecting the health and well-being of water protects the wider environment,
- (5) Kāi Tahu exercise *rakaitirataka*, *manaakitaka* and their *kaitiakitaka* duty of care and attention over wai and all the life it supports, and
- (6) all people and communities have a responsibility to exercise stewardship, care, and respect in the management of fresh water.

LF-FW-O1A – Visions set for each FMU and rohe

In each FMU and rohe in Otago and within the timeframes specified in the freshwater visions in LF-VM-O2 to LF-VM-O6:

- (1) healthy freshwater and estuarine ecosystems support healthy populations of indigenous species (including non-diadromous galaxiids and Canterbury mudfish) and *mahika kai* that are safe for consumption,
- (2) the interconnection of land, freshwater (including springs, groundwater, ephemeral water bodies, wetlands, rivers, and lakes) and coastal water is recognised,
- (3) fish passage within and between catchments is provided for except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats,
- (4) the form, function and character of water bodies reflects their natural characteristics and natural behaviours to the extent reasonably practicable,
- (5) the ongoing relationship of Kāi Tahu with *wāhi tūpuna*, including access to and use of water bodies, is sustained,
- (6) the health of the water supports the health of people and their connections with water bodies,
- (7) sustainable land and water management practices:
 - (a) support food and fibre production and the continued social, economic, and cultural well-being of Otago's people and communities, and
 - (b) improve the resilience of communities to the effects of climate change, and
 - (c) ensure communities are appropriately serviced by community water supplies, and other three waters infrastructure,
- (8) direct discharges of wastewater to water bodies are phased out to the extent reasonably practicable, and
- (9) freshwater is managed as part of New Zealand's integrated response to climate change and renewable electricity generation activities are provided for.

The proposal will not adversely affect the health and wellbeing of the lake, nor will it impact on the relationship of Kāi Tahu with *wāhi tūpuna* and access to and use of Lake Whakatipu. The proposal is considered to be in accordance with the relevant objectives and policies within the pRPS 21.

10.3 Otago Regional Plan: Water for Otago

Section 5.3 of the Regional Water Plan promotes the protection, maintenance or enhancement of spiritual and cultural beliefs, natural character and amenity values of Otago's lakes and rivers. The maintenance of public access and the protection of heritage values are also key principles. As detailed in the assessment above, the proposed mooring will not significantly affect the natural character or visual amenity values of Lake Wakatipu.

Section 8 focusses on the protection of the lakebed and its complex and dynamic natural systems. In this instance, retrospective consent is sought so the proposal will not cause any bed disturbance or affect stability of the bed or banks, or the flood and sediment carrying capacity of any lake, or fish migration. In addition, the proposal will not affect water quality, amenity values, or downstream users.

Overall, the proposal is consistent with the relevant provisions contained within the Otago Regional Plan: Water.

10.4 Operative District Plan

The objectives and policies of the ODP are no longer considered relevant as there are no rules triggered by which to implement the objectives and policies.

10.5 Proposed District Plan

The relevant objectives and policies are contained within Chapters 3 (Strategic Direction), 6 (Landscapes), 21 (Rural), and 39 (Wāhi Tūpuna) of the PDP. Chapter 3 has already been considered in section 7 of this report so has not been included in the assessment below.

Chapter 3 (Strategic Direction)

Strategic Objective 3.2.4 - The distinctive natural environments and ecosystems of the District are protected.

The relevant provisions of Chapter 3 seek to ensure the natural character of the beds and margins of the District's lakes, rivers and wetlands are preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development. These provisions also seek to maintain or enhance the water quality and functions of the District's lakes, rivers and wetlands.

The natural character, water quality and function of the Frankton Arm, which is recognised as being a more domesticated and modified part of Lake Wakatipu and is not ONL, will be maintained as this proposal is for retrospective consent to formally establish a mooring that has been embedded in its location for many years. Therefore, no disturbance to the lakebed is required. A recent inspection of the mooring has been undertaken, and the individual components of the mooring system (rings, shackles, chains) are reported to be in good condition. The ongoing 2 yearly inspection of the mooring will ensure that the delicate natural ecosystem of the lake is maintained and protected.

*Strategic Objective 3.2.5 - **The retention of the District's distinctive landscapes.***

These provisions seek to protect the landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration. In this instance, the proposed mooring is set amongst other moorings, jetties and boat sheds in a highly modified part of the Frankton Arm that is not an ONL or ONF. The proposal is therefore considered compatible within the existing landscape and will not affect the District's distinctive landscapes, including the Frankton arm, which will be retained.

Overall, the proposal is considered to be consistent with the relevant objectives and policies contained within Chapter 3 of the PDP.

Chapter 6 (Landscapes – Rural Character)

Objective 6.3.5 Managing Activities on Lakes and Rivers

Policy 6.3.5.1 – Manage the location, intensity and scale of structures on the surface and margins of water bodies including jetties, moorings and infrastructure recognising the functional needs of these activities, and the importance of lakes and rivers, including as a commercial recreation, tourism, transport and recreational resource, and ensure these structures are at a scale or in a location that, as far as practicable:

- a. protects the values of Outstanding Natural Features and Outstanding Natural Landscapes; and*
- b. maintains the landscape character of Rural Character Landscapes and maintains or enhances their visual amenity values.*

The Frankton Arm is not identified as being ONL, ONF or RCL in the PDP.

Policy 6.3.5.2 - Recognise the character of the Frankton Arm including the established jetties and wharves, and provide for their maintenance, upgrade or expansion.

Policy 6.3.5.4 – Provide for appropriate commercial and recreational activities on the surface of water bodies that do not involve construction of new structures.

The objective and associated policies above recognise that the lakes and rivers are a significant element of the national and international identity of the District and provide for a wide range of amenity and recreational opportunities. In addition, the presence of moorings in the Frankton Arm are generally accepted as part of the character modified environment. Overall, the mooring is an appropriate recreational activity for its location and the proposal is considered to be consistent with the relevant objectives and policies contained within Chapter 6 of the PDP.

Chapter 21 (Rural)

21.2.12 Objective - The natural character of lakes and rivers and their margins is protected, or enhanced, while also providing for appropriate activities, including recreation, commercial recreation and public transport.

21.2.12.1 Policy – Have regard to statutory obligations, Wahi Tupuna and spiritual beliefs, and cultural traditions of tangata whenua where activities are undertaken on the surface of lakes and rivers and their margins.

21.2.12.2 Policy - Enable people to have access to a wide range of recreational experiences on the lakes and rivers, and their margins, while having regard to environmental and safety constraints of the various parts of each lake and river.

21.2.12.5 Policy – Protect, maintain or enhance the natural character and nature conservation values of lakes and rivers and their margins from inappropriate activities with particular regard to nesting and spawning areas, the intrinsic value of ecosystems and areas of indigenous fauna and habitat and recreational values.

21.2.12.7 Policy - Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided, remedied or mitigated.

The proposal has had regard to statutory obligations, Wāhi Tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua, although consultation has yet to commence. The use of the mooring will not hinder public access to a wide range of recreational experiences on the lakes and their margins. The natural character and

nature conservation values of the lakes is able to be maintained, recognising that the Frankton Arm is a more modified and domesticated part of the lake that is not ONL or ONF, unlike the majority of Lake Wakatipu. The proposal does not adversely affect any known nesting and spawning areas, or the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.

Overall, it is considered that the proposal is consistent with the relevant objectives and policies contained within Chapter 21.

11. Other Matters

Section 104(1)(c) of the Act permits Council to have regard to “any other matter the consent authority considers relevant and reasonably necessary to determine the application”.

11.1 QLDC Navigation Safety Bylaw 2025

This bylaw applies to the navigable waters and foreshore within the area of Queenstown Lakes District. The purpose of the bylaw (with regard to structures and moorings) is to regulate the placement and maintenance of moorings and maritime facilities.

Part 8 of the Navigation Safety Bylaw 2025 states the following;

47 Mooring permits

47.1 No person may place a mooring in any waters, or moor any vessel in any navigable waters, other than in accordance with a mooring permit issued by the Council.

47.2 The Council may issue a mooring permit subject to conditions determined by the Council in accordance with requirements specified under clause 52.

47.3 The Council may prescribe fees associated with moorings and mooring permits in accordance with clause 53.

47.4 Mooring permit holders shall take all care to ensure that the mooring is used in a lawful manner and use moorings at their own risk.

47.5 Mooring permits may be transferred in accordance with terms and conditions prescribed by the Council, including the payment of the applicable fee.

The applicant has a current mooring permit from QLDC (appended as Attachment [D]), which was issued on 1 July 2025 and is valid until 30 June 2026. The applicant has maintained the mooring and paid the associated mooring permit fees since owning the mooring. It is understood that once this permit expires, the applicant will need to obtain a new permit.

11.2 Otago Regional Council Navigation Safety Bylaw 2020

This Bylaw applies to all waters in the Otago Region including the territorial sea and all inland waters apart from the navigable waters in the Queenstown Lakes District Council area, which are administered by QLDC. As such, the ORC Navigation Safety Bylaw does not apply to this proposal.

11.3 National Policy Statement for Freshwater Management 2020 updated 2025 (NPS-FM)

The NPS-FM provides legally binding direction to local councils on managing freshwater to restore and protect its health, prioritising the concept of *Te Mana o te Wai*. It requires regional councils to set long-term visions, establish limits on resource use, and monitor ecosystem health and human contact, with a focus on reversing degradation within a generation. The following objective is considered most relevant to this proposal –

2.1 Objective (1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:

(a) first, the health and well-being of water bodies and freshwater ecosystems

(b) second, the health needs of people (such as drinking water)

(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

The proposal enables the applicant to provide for their social, economic, and cultural wellbeing in a way that is consistent with NPS-FM. Overall, the proposal is consistent with the relevant objectives of the NPS-FM.

12. Conclusion

Retrospective resource consent is sought to establish Mooring #189 on the south side of the Frankton Arm, Lake Wakatipu. Overall, it is concluded that the proposed activity is not likely to have any adverse effects on the environment that are more than minor. The proposal is consistent with the relevant objectives and policies of the PDP, the ORPS's, and meets the purpose and principles of the Resource Management Act 1991.

Attachments

Attachment [A]: Form 9
 Attachment [B]: Location Plan
 Attachment [C]: Mooring Inspection Report
 Attachment [D]: Mooring Permit #189
 Attachment [E]: ORC to QLDC transfer of powers

APPENDIX 2 – NAVIGATIONAL SAFETY REPORT FOR M189

NAVIGATIONAL SAFETY COMMENTS – RESOURCE CONSENT APPLICATION

TO: Rebecca Holden

FROM: Ricky Campbell, QLDC Harbourmaster

DATE: 25th May 2026

APPLICATION DETAILS	
REFERENCE	RM260174
APPLICANT	S Hodgson
APPLICATION TYPE & DESCRIPTION	Applicant to lawfully establish an existing swing mooring (M189) within the Frankton Arm of Lake Wakatipu, north of 451 Peninsula Road, Kelvin Heights
ADDRESS	Bed & Surface of Lake Wakatipu within the Frankton Arm.
ZONE	Rural (PDP) Rural General (ODP)
SITE ADDRESS	N/A
ACTIVITY STATUS	Restricted Discretionary
VALUATION NUMBER	N/A

REQUEST DETAILS	
FROM (PROCESSING PLANNER)	Rebecca Holden
DATE OF REQUEST	03.05.2026
WORKING DAYS AT TIME OF REQUEST	0
FINAL DATE FOR FURTHER INFORMATION REQUESTS	11.05.2026
DATE REPORT REQUIRED BY:	ASAP
INDICATION OF NOTIFICATION	Limited Notification
TYPE OF COMMENT REQUIRED	Memo
REQUESTED AREAS OF COMMENT	Navigational safety matters including: a) Any navigational safety concerns (e.g. swing radius clash, depth of lake) b) Whether the mooring design is fit for purpose and structurally sound. Note: GPS coordinates provided by Applicant slightly differ from that shown on GIS.

MOORING LOCATION DIAGRAM – M189

(-45° 02' 17.60 S 168° 41' 36.41 E) (-45.038222 S 168.693447 E)



1.0 OVERVIEW

Brief Description of Proposal	S Hodgson has made a Resource Consent application in respect of their existing mooring(M189) located within the Frankton Arm, Lake Wakatipu. The purpose of this resource Consent application is to legalise an existing mooring located at the above location. Mr Hodgson has had Garry Wright from Wright Building and Dive Services complete a subsurface mooring inspection survey on the identified mooring M189, Garry Wright is an experienced diver and based on this I expect his report as being accurate and complete.
History	RM:260174
Waterbodies	Location: Frankton Arm, Lake Wakatipu.

2.0 SAFETY MANAGEMENT

Safety Management comments	A Resource Consent application in regard to the mooring M189 was filed with the Queenstown Lakes District Council on 03.05.2026. As part of this process, the applicant submits a mooring survey document from a recent mooring inspection carried out on the mooring to show it is fit for purpose and meets the requirements under the Navigational Safety Bylaw 2025, after having the applicant supplied mooring survey document forwarded to myself for a desktop review and comment. Mooring Swing Radius Using the coordinates supplied by Garry Wright within the mooring survey document, I note that there is a Swing Radius Conflict with surrounding mooring M81, when considering the swing radius made up of mooring swing radius of 11.5 metres and a vessel length of up to 9.0 metres totalling 20.5 metres. There appears to be a visible variance in the currently recorded location of mooring M189 and the coordinates given within the survey document. If the mooring was moved back towards its recorded location this would clear the swing radius conflict zone. Due to the above conflict with the above surrounding moorings, I am unable to support this application at this time until the conflict has been addressed, or a plan put forward to show there would no longer be a conflict present.
Safety Operation Plan (SOP) comments	Nil Required.
Maritime comment obtained?	No Comment Required from Maritime NZ

3.0 LEGISLATION

- Maritime Transport Act 1994
- Navigation Safety Bylaw 2025

4.0 RECOMMENDED CONDITIONS/ADVICE NOTES

Please see notes above.

5.0 FINAL COMMENT

Prepared by: Ricky Campbell
Harbourmaster
Queenstown Lakes District Council

Kind Regards

Ricky

Ricky Campbell

District Harbourmaster

Queenstown Lakes District Council

DDI: 0800 2262851 (24/7)

Mob: 021 2262851 (24/7)

PO Box 6 Queenstown 9300,
New Zealand

E mail: ricky@cougargroup.co.nz

TechnologyOne ECM Document Summary

Printed On 04-Aug-2026

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	[A] Resource Consent for Water Based Activity Form	9405284	1	03-Mar-2026
PUB_ACC	AEE	9405279	1	03-Mar-2026
PUB_ACC	[B] Location Plan	9405283	1	03-Mar-2026
PUB_ACC	Inspection Report (M189)	9553738	1	03-May-2026
PUB_ACC	[D] Mooring Permit 189	9405281	1	03-Mar-2026
PUB_ACC	[E] ORC to QLDC transfer of powers	9405280	1	03-Mar-2026
PUB_ACC	LINZ APA	9510925	1	13-Apr-2026



APPLICATION FOR RESOURCE CONSENT FOR A WATER-BASED ACTIVITY



Under Section 88 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

This form provides contact information and details of your application. If your form does not provide the required information it will be returned to you to complete. Until we receive a completed form and payment of the initial fee, your application will not be accepted for processing.

APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust: **Steven James Hodgson**
(Name Decision is to be issued in)

*All trustee names (if applicable):

Contact Name if Company or Trust:

*Postal Address: **451 Peninsula Road, Kelvin Heights, Queenstown**

*Contact details supplied must be for the applicant and not for an agent acting on their behalf and must include a valid postal address

*Post code:

9300

*Email Address: **steve_hodgson@mac.com**

*Phone Numbers: Day **021 861 833**

Mobile: **021 861 833**

The Applicant is:



Owner



Lessee



Occupier



Other - Please Specify



Our preferred methods of corresponding with you are by email and phone.
The decision will be sent to the Correspondence Details via email unless requested otherwise.



CORRESPONDENCE DETAILS // If different than above – E.g. consultant or agent

Name & Company: **Kylie Columb - Vivian Espie Ltd**

Phone Numbers: Day **03 4414141**

Mobile:

Email Address: **kylie@vivianespie.co.nz**

INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf.
For more information regarding payment please refer to the Fees Information section of this form.

*Please select a preference for who should receive any invoices and how they would like to receive them.

Applicant:



Agent:



Other, please specify:

Email:



Post:



*Attention: **Steve Hodgson**

*Postal Address:

*Please provide an email AND full postal address.

*Post code:

*Email:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf. For more information please see appendix 2 at the end of this form.

Please select a preference for who should receive any invoices.

Details are the same as above

☐

Applicant:

☒☐

Other, please specify:

*Attention:

*Email:

[Click here for further information and our estimate request form](#)



DETAILS OF SITE

Address / Location to which this application relates: Provide the name of the waterbody (i.e. lake or river) where the proposed works/activity will take place. Include proximity to any well-known landmark and land address for any associated land based activity/ landing points:

Southern shore of Frankton Arm of Lake Wakatipu, approximately 45m north of the lake shore, near 451 Peninsula Road, Kelvin Peninsula

GPS location: Latitude 45.038215S/Longitude 168.693779E

GPS LOCATION OF PROPOSED WORKS //

(Note: this must be supplied for all mooring and jetty applications, and any other waterbased activity that does not have an associated land parcel attached to the operation)

GPS co-ordinates: Note: you must specify which GPS co-ordinate system* was used to identify the GPS location - Decimal Degrees (DD) or Degrees Minutes Seconds (DMS) (*The Harbourmaster prefers the Decimal Degrees (DD) co-ordinate systems, but either can be used)

GPS location: Latitude 45.038215S/Longitude 168.693779E

For any land based areas:

Legal Description:

Owners/Occupiers:

District Plan Zone: Rural (Water)

Permit Number: If you have a current permit for your activity from QLDC (i.e. an existing mooring permit), specify your permit number and the name of the person / entity that the permit is issued to

Mooring #189 - Steven James Hodgson

Other Users: Identify other occupiers/users in particular consent holders, of the relevant waterbody



SITE VISIT REQUIREMENTS// Should a Council officer need to undertake a site visit please answer the questions below

Is there a gate or security system restricting access by council?

YES

☐

NO

☒

Is there a dog on the property?

YES

☐

NO

☒

Are there any other hazards or entry restrictions that council staff need to be aware of?

If 'yes' please provide information below

YES

☐

NO

☒

The mooring is located in the bed of Lake Wakatipu, on the southern shores of the Frankton Arm, approximately 45m north of the shoreline (near 451 Peninsula Road, Kawarau Heights).



PRE-APPLICATION MEETING

Have you had a pre-application meeting with QLDC regarding this proposal?

☐

Yes

☒

No

☐

Copy of minutes attached

If 'yes', provide the reference number:



CONSENT(S) APPLIED FOR

49



Land use consent to establish and operate a water based activity comprising:



Erect or place a new structure



Alter / extend an existing structure



Replace / demolish an existing structure



Transfer of consent(s):

(Please provide a letter from both the current & new consent holders authorizing this request)

Retrospective consent sought to establish Mooring #189 on the bed of the Lake



BRIEF DESCRIPTION OF THE PROPOSAL

Consent is sought to undertake a water-based activity on **Lake Wakatipu**

(Lake / River)

The activity will operate **year round**

(dates / duration)

to provide for **the personal use of Steven Hodgson to moor a boat**

(number persons)

Brief description of activity:

Proposed mooring #189 is already located in the lake bed and has been used and maintained by the applicant for the last 19 years. This consent seeks to formally establish the mooring in line with recent QLDC mooring requirements.

Further Description to be provided in an assessment attached. See below.



OTHER CONSENTS

Are any additional consent(s) required that have been applied for separately?

- ☒ Otago Regional Council — Use of bed of lake or river (note if has/has not been applied for):



Yes



No



N/A

- ☒ Are you seeking consent from both QLDC and ORC in this one application (i.e. for a jetty or mooring):



Yes



No



N/A



APPLICATION NOTIFICATION

Are you requesting public notification for the application?



Yes



No

Please note there is an additional fee payable for notification. Please refer to Fees schedule



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendix 1).

To be accepted for processing, your application must include the following information where relevant to your proposed activity:



A site plan or map showing the locality and extent of the activity and the proximity of any nearby activities (e.g. other moorings and the extent of their swing in relation to your proposed mooring)



Demonstrate compliance with the most up to date QLDC Swing Moorings Booklet (if relevant)



Details of any associated land based buildings or structures, parking areas.
Details of any signage & locations.



A Safety Management Plan



Noise report (if relevant)



Written approval of every person who may be adversely affected by granting of consent (s95E)

Consultation required with:
Aukaha
Te Ao Marama INC
Fish & Game New Zealand

Consultation required where relevant:
Guardians of Lake Wanaka
Guardians of Lake Hawea
Department of Conservation
Land Information New Zealand



An Assessment of Effects (AEE).

An AEE is a written document outlining how the potential effects of the activity have been considered: safety, noise, traffic and parking, signage and impact on the waterbody including other users. Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See [Appendix 1](#) for more detail.



We prefer to receive applications electronically – see Appendix 3 [Naming of Documents Guide](#)

Please ensure documents are scanned at a minimum resolution of 300 dpi.

Each document should be no greater than 10mb



The information that you have provided on this form is public information and is gathered for a lawful purpose to ensure the efficient functioning of Council's duties, powers and functions under the Resource Management Act 1991 and the Building Act 2004. The information will enable Council to adequately assess your application for Resource Consent in accordance with the statutory processes under the Resource Management Act 1991. The information may also be collected for and disclosed to, the Ministry for the Environment and Queenstown Lakes District Council, for the purpose of statistical analysis, so that the Agencies can efficiently undertake their statutory duties. The information will be stored on a public register (Council's eDocs website) and is available to the public in accordance with the terms and conditions set out on the eDocs website.

While available to the public through the eDocs portal, any disclosure of the information on the website must be in accordance with the Local Government Official Information and Meetings Act 1987 and must not be used for a purpose other than for the reason it was collected. Members of the public should not share or distribute this information for any purpose that is not a lawful purpose set out under relevant legislation.

Any unauthorised use, disclosure, or distribution of this information by third parties may constitute a breach of the Privacy Principles set out under the Privacy Act 2020 and may be reported to the Privacy Commissioner which could result in legal sanctions.



FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing of applications under this Act.

An invoice for an initial fee will be sent out typically within 1-2 business days of receipt of correctly completed application. Your application will not be processed until this invoice is paid. [When making payment please use the application reference.](#)

[Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.](#)

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts. These will be invoiced monthly and are payable by the 20th of the month.

If your application is notified or requires a hearing you will be required to pay a notification deposit and/or a hearing deposit. An applicant may not offset any previous invoices issued against such deposits. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid in full.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be submitted using the correct application form and required documents. This must be lodged within 15 working days of the receipt of the final invoice.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

ADMINISTRATION FEE - The initial fee includes an administration lodgement fee for staff time spent setting up your application and generating your invoice.

MONITORING FEES – Please also note that the initial fee paid at lodgement includes an initial monitoring fee as per our Charges and Fees for Land Use Consent applications as once Resource Consent is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991. This initial monitoring fee also applies to designation related applications. For all application types the monitoring team may still charge an hourly rate if monitoring is deemed required.

DEVELOPMENT CONTRIBUTIONS – Your development may also incur development contributions under the Local Government Act 2002. You will be liable for payment of any such contributions.

A list of Charges and Fees is available on our website.



PAYMENT // An initial fee is payable upon receiving the initial fee invoice following the lodgment of this application.

51

Please wait for the initial fee invoice to be issued and and [use the application reference on the invoice for your payment.](#)

This fee **MUST** be paid with the correct application reference in order for the processing to begin.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

Amount to Pay

\$2668 - Land Use Discretionary (overall consent status)

APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being so.



If lodging this application as **the Applicant:**

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

OR:



If lodging this application as **agent of the Applicant:**

I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant/ Agent whose details are in the invoicing section is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.



PLEASE TICK

I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

Signed (by or as authorised agent of the Applicant) ** **Kylie Columb**

Digitally signed by Kylie Columb
Date: 2026.02.24 15:31:15 +13'00'

Full name of person lodging this form **Kylie Columb**

Firm/Company **Vivian Espie Ltd**

Dated **3/3/26**

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.

Section 2 of the District Plan provides additional information on the information that should be submitted with a land use or subdivision consent.

The RMA (Fourth Schedule to the Act) requires the following:

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 INFORMATION REQUIRED IN ALL APPLICATIONS

- (1) An application for a resource consent for an activity (the activity) must include the following:

- (a) a description of the activity;
- (b) a description of the site at which the activity is to occur;
- (c) the full name and address of each owner or occupier of the site;
- (d) a description of any other activities that are part of the proposal to which the application relates;
- (e) a description of any other resource consents required for the proposal to which the application relates;

Information provided within the Form above

- (f) an assessment of the activity against the matters set out in Part 2;
- (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

- (2) The assessment under subclause (1)(g) must include an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

Include in an attached Assessment of Effects (see Clauses 6 & 7 below)

- (3) An application must also include an assessment of the activity's effects on the environment that—

- (a) includes the information required by clause 6; and
- (b) addresses the matters specified in clause 7; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:
 - (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
 - (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
 - (b) an assessment of the actual or potential effect on the environment of the activity;
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).
- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.
- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—
 - (a) oblige the applicant to consult any person; or
 - (b) create any ground for expecting that the applicant will consult any person.

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

- (1) An assessment of the activity's effects on the environment must address the following matters:
 - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects;
 - (b) any physical effect on the locality, including any landscape and visual effects;
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants;
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.
- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

Will your resource consent result in a Development Contribution and what is it?

- A Development Contribution can be triggered by the granting of a resource consent and is a financial charge levied on new developments. It is assessed and collected under the Local Government Act 2002. It is intended to ensure that any party, who creates additional demand on Council infrastructure, contributes to the extra cost that they impose on the community. These contributions are related to the provision of the following council services:
 - Water supply
 - Wastewater supply
 - Stormwater supply
 - Reserves, Reserve Improvements and Community Facilities
 - Transportation (also known as Rooding)

[Click here for more information on development contributions and their charges.](#)

OR Submit an Estimate request *please note administration charges will apply



While it is not essential that your documents are named the following, it would be helpful if you could title your documents for us. You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

Application Form

Assessment of Environmental Effects (AEE)

Affected Party Approval/s

Safety Management Plan

Traffic Report

PREPARED FOR STEVEN HODGSON
3 MARCH 2026
#J2571

ASSESSMENT OF ENVIRONMENTAL EFFECTS

RETROSPECTIVE RESOURCE
CONSENT TO ESTABLISH MOORING
#189 ON THE BED OF LAKE WAKATIPU

NORTH OF 451 PENINSULA ROAD,
KELVIN PENINSULA.

vivian+espie
resource management and landscape planning

Contents

1.	Key Information	3
2.	Introduction	4
3.	Existing Environment	4
3.1	Subject site and surrounding environment.....	4
3.2	Background	5
4.	The Proposal.....	6
5.	Matters Requiring Consent	7
5.1	Operative District Plan	7
5.2	Proposed District Plan	7
5.4	Otago Regional Plan: Water	8
5.5	Summary of Consents Required.....	8
5.6	Scope of Application	9
6.	Statutory Considerations.....	9
6.1	Section 104 – Matters for Assessment	9
6.2	Section 104B and Section 104D – Non-Complying Activities	9
7.	Assessment of Environmental Effects.....	9
7.1	Permitted Baseline	10
7.2	Effects on landscape and visual amenity.....	10
7.3	Navigation and water safety	10
7.4	Effects on recreation	11
7.5	Cumulative effects.....	11
7.6	Effects on the lakebed.....	11
7.7	Cultural Values.....	12
7.7.1	Kāi Tahu Ki Otago Natural Resource Management Plan 2005	12
	Chapter 5: Otago Region	12
7.7.2	Kāi Tahu Ki Otago Natural Resource Management Plan 2005	13
	Chapter 10: Clutha/Mata-au Catchments.....	13
7.7.3	Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008	14
7.7.4	Chapter 39 PDP: Wāhi Tūpuna	15
7.8	Summary.....	15
8.	Effects on persons	15
9.	Notification Assessment.....	15
9.1	Public Notification	15
9.2	Limited Notification.....	16
10.	Policy Framework.....	17
10.1	Otago Regional Policy Statement 2019	17
10.2	Proposed Otago Regional Policy Statement 2021 – Appeals Version	17
10.3	Otago Regional Plan: Water for Otago	18
10.4	Operative District Plan	19
10.5	Proposed District Plan	19
11.	Other Matters	21
11.1	QLDC Navigation Safety Bylaw 2025	21
11.2	Otago Regional Council Navigation Safety Bylaw 2020	21
11.3	National Policy Statement for Freshwater Management 2020 updated 2025 (NPS-FM)	22
12.	Conclusion	22

Attachments

Attachment [A]: Form 9

Attachment [B]: Location Plan

Attachment [C]: Mooring Inspection Report

Attachment [D]: Mooring Permit #189

Attachment [E]: ORC to QLDC transfer of powers

Quality assurance

Prepared by	Kylie Columb	Planner	3 March 2026
Reviewed by	Blair Devlin	Director/Senior Planner	3 March 2026

1. Key Information

Address	Southern shore of Frankton Arm of Lake Wakatipu, north of 451 Peninsula Road, Kelvin Peninsula GPS location: Latitude 45.038215S/Longitude 168.693779E
Legal Description	N/A – Lake Bed
Site Area	N/A
Owners	Land Information New Zealand (LINZ) is the administrator for the Lake Bed
Occupiers	N/A
Applicant	Steven James Hodgson
Operative District Plan Zoning	Rural General Zone (Water)
Designations & Special Provisions	Within an area identified as 'All structures and moorings non-complying except for jetties and boatsheds'
Proposed District Plan Zoning	Rural Zone (Water)
Designations & Special Provisions	Wahi Tupuna Number 33– Whakatipu-wai-Maori (Lake Wakatipu)
Proposed Activity	Retrospective resource consent to establish mooring #189 on the bed of Lake Wakatipu for personal use, directly north of 451 Peninsula Road, Kelvin Peninsula.
Consents Required	Operative District Plan Rural General Zone: The Proposed District Plan rules identified below are not under appeal. The equivalent rules of the ODP must now be treated as inoperative pursuant to section 86F of the RMA. Proposed District Plan Rural Zone: • Rule 21.15.7 for moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application shall be a restricted discretionary activity. Discretion is restricted to matters listed a-g. • Rule 21.15.8 for moorings that pass across or through the surface of any lake, shall be a discretionary activity. Otago Regional Plan: Water • A discretionary activity pursuant to Rule 13.2.3.1 as the proposal involves the (retrospective) placement of a structure, fixed in, on, under or over the bed of a lake. Overall, the proposal is a discretionary activity.
Written Approvals/Consultation	• Consultation is underway with Land Information New Zealand (LINZ). • The applicant has not consulted with Aukaha or Te Ao Mārama Incorporated as it is anticipated that the application will progress on a (limited) notified basis.
Other consents/permits	Mooring Permit 189: Attachment [D]

2. Introduction

This report is submitted as part of the application by Steven Hodgson ("the Applicant") for a retrospective resource consent to establish a mooring on the southern shore of the Frankton Arm of Lake Wakatipu, off Kelvin Peninsula in Queenstown. The completed application form for 'Resource Consent for Water Based Activity' is appended as Attachment [A] and a location plan is appended as Attachment [B]. The purpose of this report is to provide sufficient information to enable a full understanding of the proposal and any effects that the proposal may have on the environment.

3. Existing Environment

3.1 Subject site and surrounding environment

The proposed mooring is located in the southern shore of the Frankton Arm of Lake Wakatipu, adjacent to the Kelvin Heights Peninsula as indicated in Figure 1 below. The proposed mooring is formally known as mooring #189 in Council records. The GPS location of the mooring is longitude 168.693779E / latitude -45.038215S, which is approximately 45m north of the lake shore, adjacent to the applicant's property at 451 Peninsula Road, Kelvin Heights (refer to figure 2). A location plan is appended as Attachment [B].



Figure 1: Location of proposed mooring indicated by the yellow pin (identified on Google Earth using the GPS co-ordinates)



Figure 2: Location of proposed mooring off the shores of the Kelvin Heights Peninsula – source QLDC GIS

The proposed mooring is one of the many moorings, jetties and boat sheds located along the shores of the Frankton Arm, and the small bays of the Kelvin Heights waterfront on Lake Wakatipu. Jetty #20B is also connected to the applicant's property and is in very close proximity to mooring #189 (refer to Figure 2). The applicant acquired the consented Jetty (RM930543) approximately 19 years ago as part of the sales and purchase agreement when he purchased 451 Peninsula Road, and he has been maintaining, enjoying, and paying QLDC Permit fees for the Jetty since its acquisition.

To the south of the mooring (on the landward side of the shore) is the Kelvin Heights Walking Trail. The area between the trail reserve and Lake Wakatipu contains a mixture of exotic trees and shrublands with patches of exotic grasses. To the west is the Wakatipu Yacht Club and Queenstown Golf Course and to the far east is the Hilton Hotel and associated commercial developments.

The wider surrounding built form consists of lower density suburban residential development, newly developed residential areas, public picnic areas and playgrounds. The surrounding natural environment is the renowned Lake Wakatipu encompassing Frankton Arm, with backdrops of Deer Park Heights, Queenstown Hill, Ben Lomond and the Remarkables Mountains.

3.2 Background

Like the Jetty, the applicant acquired the mooring when he purchased the property at 451 Peninsula Road. It is unclear exactly when the mooring was established and no clear records of its approval are available, however it is likely to have been around the 1960's when a holiday home was first constructed on the property. The 1960's predated the RMA; therefore, no resource consent exists for the original establishment of the mooring. It is possible that an approval was obtained under the (now repealed) Harbours Act, that governed moorings in Lake Wakatipu

pre-RMA, however records of the Harbours Act are not readily obtainable. Since its acquisition approximately 19 years ago, the applicant has obtained mooring permits through QLDC and paid the associated licensing fees (current mooring permit appended as Attachment [D]).

It is noted that Jetty #20B does have a current resource consent. In 1994, the previous owners of 451 Peninsula Road applied for resource consent to rebuild and modify the existing Jetty structure adjacent to the property; RM930543 was granted in April 1994 (a copy of this consent is not included with this application but can be provided on request). The Jetty is therefore considered to be a lawfully established structure that is linked to the applicant's property, 451 Peninsula Road.

Retrospective resource consent is now being sought to formally establish mooring #189 in order to comply with the recent QLDC mooring consent requirements, and to ensure the mooring is compliant and up to date with statutory requirements.

4. The Proposal

This is a proposal to seek retrospective resource consent to formally establish mooring #189 for the personal use of the applicant, who has a home and a jetty in close proximity to the mooring at 451 Peninsula Road, Kawarau Heights.

As mentioned above, the GPS location of the mooring is longitude 168.693779E / latitude -45.038215S, which is approximately 45m north of the lake shore (location plan appended in Attachment [B]). The mooring is a swing mooring attached with a chain, extending from a two-ton mooring block to the surface of the lake similar to the 'Mooring System' diagram in Figure 3. Two orange buoys are attached to the chain and are the only component visible on the surface of the lake.

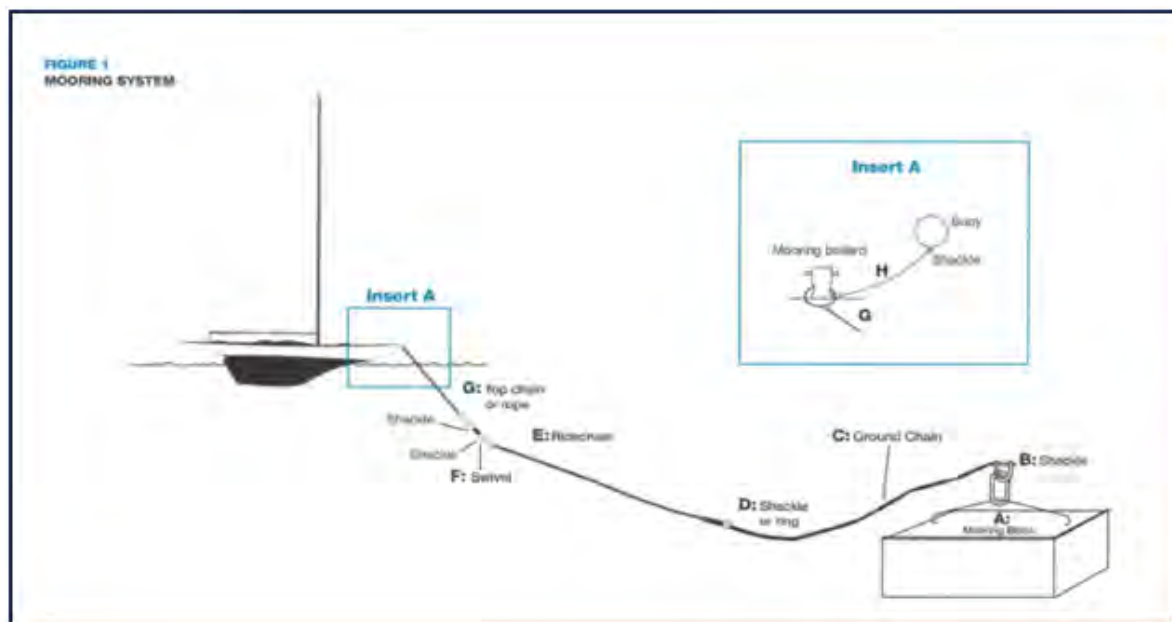


Figure 3: Diagram of the mooring system

The applicant has owned the property for approximately 19 years and is of the understanding that the jetty and mooring have always been connected to 451 Peninsula Road. While it is unclear exactly when the mooring was established in the lakebed, both structures were likely to have been constructed in/around the 1960's when a dwelling was built on the property.

To accompany this application, a formal inspection of the mooring was undertaken on 14th December 2025 by Simeon Diving Services Ltd. The Report on this inspection is appended as Attachment [C], and states that the mooring block, rings, shackles and chains of the mooring system are in new/good condition and no repairs were required. It is anticipated that the mooring will be inspected every 2 years by a suitably qualified professional as per the QLDC Swing Moorings Booklet – January 2026. The current QLDC mooring permit, which is valid from 1 July 2025 – 30 June 2026, is appended as Attachment [D].

5. Matters Requiring Consent

5.1 Operative District Plan

The subject site is zoned Rural General under the Operative District Plan. There are no relevant rules under the ODP as the relevant rules under the PDP must now be treated as operative pursuant to s86F.

5.2 Proposed District Plan

The subject site is zoned Rural (Water) and the proposal requires consent under the following rules:

- A restricted discretionary activity pursuant to Rule 21.15.7 for moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application. Discretion is restricted to the following matters.
 - a. whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;
 - b. whether the structure causes an impediment to craft manoeuvring and using shore waters.
 - c. the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
 - d. the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;
 - e. whether the structure will be used by a number and range of people and craft, including the general public;
 - f. the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design; and
 - g. whether the structure enables the use of public water ferry services and/or water based transport.
- A discretionary activity pursuant to Rule 21.15.8 for moorings that pass across or through the surface of any lake.



Figure 4: Proposed mooring indicated by yellow star. The orange line shows the PDP GIS web mapping application indicating that structures and moorings are a restricted discretionary in the Frankton Arm

Overall, the proposal is a discretionary activity.

5.4 Otago Regional Plan: Water

In 1993 a deed was made to transfer the power to determine applications for land use consent for activities / structures affecting lakes from the Otago Regional Council (ORC) to the Queenstown Lakes District Council (QLDC) pursuant to Section 13(1)(a) of the RMA (refer to Attachment [E]). In accordance with the aforementioned deed the application has been considered under the relevant provisions of the Regional Council Plan: Water. The proposal requires consent under the following rule:

- A discretionary activity pursuant to Rule 13.2.3.1 as the proposal involves the (retrospective) placement of a structure, fixed in, on, under or over the bed of a lake.

As the mooring block is already in place, no consents are sought to discharge sediment associated with placement of the mooring block on the lakebed.

Overall, the application is considered to be a discretionary activity under the ORC Regional Water Plan.

5.5 Summary of Consents Required

The application is considered to be:

- a discretionary activity under the PDP; and
- a discretionary activity under the ORC regional Water Plan

Overall, the activity status is considered to be a discretionary activity.

5.6 Scope of Application

This application is for all matters requiring resource consent under the District Plans, rather than for the specific list of consent matters / non-compliances identified above by the author. As such, if the Council is of the view that resource consent is required for alternative or additional matters to those identified in this Assessment of Effects on the Environment (AEE), it has the discretion to grant consent to those matters as well as or in lieu of those identified in this AEE. If the Council is of the view that the activity status of any of the matters requiring consent is different to that described in this AEE, or that some or all of the matters requiring consent should be bundled or unbundled in a way that results in a different outcome to that expressed in this AEE, the Council has the ability under Section 104(5) of the RMA to process the application regardless of the type of activity that the application was expressed to be for.

6. Statutory Considerations

6.1 Section 104 – Matters for Assessment

Section 104(1) of the Act requires the Council to have regard to the following matters, subject to Part 2 of the Act:

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (b) *any relevant provisions of –*
 - (i) *a national environmental standard;*
 - (ii) *a national policy statement;*
 - (iii) *a regional policy statement or proposed regional policy statement;*
 - (iv) *a plan or proposed plan; and*
- (c) *any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

Section 104(2) of the RMA states that, in considering the effects on the environment of allowing an activity, a consent authority may disregard an adverse effect if a national environmental standard or the plan permits an activity with that effect.

Section 104(3) states that a consent authority must not have regard to trade competition or the effects of trade competition, or any effect on a person who has given written approval to the application.

6.2 Section 104B - Discretionary Activities

Under section 104B, a consent authority processing an application for a discretionary activity may grant or refuse a resource consent application, and if it grants the application, may impose conditions under section 108.

7. Assessment of Environmental Effects

The assessment matters listed within PDP Rule 21.15.7 (a-g) for jetties and moorings in the Frankton Arm have been used as a basis to structure the assessment of effects, which have been summarised into the following headings.

- Landscape, visual and amenity
- Navigation and water safety
- Effects on recreation

- Cumulative effects
- Effects on the lakebed
- Cultural Values

7.1 Permitted Baseline

Minor repairs, maintenance or alterations of existing operational jetties and moorings are a permitted activity. However, as no records can be found in relation to the establishment of the mooring many years ago, the permitted baseline is not considered to apply.

7.2 Effects on landscape and visual amenity

When the mooring is not in use, the two small orange buoys are the only component visible on the surface of the lake. Given the small scale of these visible elements and their location amongst several other existing moorings, it is considered that the mooring will not be visibly prominent and will be compatible with the existing pattern of water based activity in the local vicinity. The mooring, along with Jetty #20B, have been used, maintained and enjoyed by Steven Hodgson and his family for the past 19 years, and likely for many years prior by the previous owners. It is understood that both structures have always been linked to 451 Peninsula Road. As such, it is considered that these features form part of the established visual character of this part of lake.

At this time, the applicant does not own a boat, however any future boat attached to the mooring is likely to be a typical private recreational motor craft less than 9m in length, as per the QLDC Jetties and Moorings Policy 2007. The applicant is willing to accept a condition of consent that the details of the boat to be attached to the mooring be submitted to Council should they purchase a boat in the future.

When the mooring is occupied by a boat, the mooring will be visible to a wider catchment area, however it will be viewed in the context of other boats and water based activities, and against a backdrop of residential development. Peninsula Road, the Kelvin Heights Trail, the lake edge vegetation and reserve area provide an element of separation from the lake shore and the surrounding residences. This section of the Peninsula is a developed residential zone, such that it is considered that a boat on the lake will be in keeping with the modified character of the area and not dominate or detract from public or private views.

Overall, it is considered that the proposed mooring accords with the anticipated landscape character of the surrounding environment. Any adverse effects on landscape, visual and amenity values are considered to be less than minor.

7.3 Navigation and water safety

The mooring is approximately 45m north of the lake shore and approximately 40m away from Jetty #20B, the closest jetty. The area is not used by the water taxi service and is not a main thoroughfare for boating activities. The applicant does not have a boat at present, however conditions of consent are anticipated to limit any future vessel to be anchored at the mooring to a maximum length of 9m, as per the QLDC Jetties and Moorings Policy 2007. A mooring inspection has been undertaken and concludes that all hardware is in new/good condition

(inspection report appended as Attachment [C]. It is expected that the QLDC Harbour Master will provide formal feedback to Council once this application is lodged.

The mooring is located at depth and does not present a navigational safety issue even at low lake levels. Subject to any recommendations from the Harbour Master and with regard to the mooring system, location and vessel size, this proposal is not considered to interfere with navigation or impose any undue safety risk to other lake users.

7.4 Effects on recreation

The Kelvin Peninsula trail passes directly adjacent to the mooring location. The Frankton Arm is also frequently used for recreational boating. The type of recreational experience varies depending on the activity undertaken, however with all activities (i.e. walking, running, cycling, motorised boating/non-motorised boating), the mooring is not anticipated to physically prevent the recreational activity from occurring for example it will not prevent this part of the lake being used for kayaking or swimming. Nor will it diminish the recreational experience of people using public areas around the shoreline. Any boat which will be attached to the mooring may provide a point of visual interest for pedestrians on the Kelvin Peninsula trail, however this is not considered to adversely affect the recreational experience of users.

7.5 Cumulative effects

In considering cumulative effects of the proposal on the natural landscape, particular regard has been given to the extent existing and potential development may already have compromised the visual coherence and naturalness of the landscape. However, the location of the mooring within an existing cluster of existing moorings and jetties is not considered to give rise to any *adverse* cumulative effects. Rather the mooring will reflect and fit the existing character of this part of the lake. As noted earlier, it is unknown exactly when the mooring was established in the lake, it has however always been connected to the applicant's property. In addition, the spread of moorings along the foreshore area is contained within the immediate vicinity of existing boating structures meaning the encroachment out into the lake is minimised.

7.6 Effects on the lakebed

The mooring block has already been constructed and is already located on the bed of the lake. Retrospective resource consent from ORC is also sought as part of this application. As the block has already been installed, no additional works are proposed and therefore the proposal will not result in additional disturbance of the lakebed. The mooring block chain is not scouring the lake bed. In addition, as per the QLDC Swing Mooring Booklet – January 2026, it is a requirement that the whole system must be inspected every two years to evaluate its condition and replace worn components, and inspection must be conducted by a suitably qualified professional. A condition of consent with regard to regular inspection is anticipated, which will help to protect the natural ecosystems of Lake Wakatipu and the lakebed.

7.7 Cultural Values

Lake Wakatipu is identified as a Statutory Acknowledgement Area under the Ngai Tahu Claims Settlement Act 1998. The mooring is located within Wāhi Tūpuna Site 33 as specified in Schedule 39.6 of the PDP. In this schedule, Whakātipu-wai-Māori (Lake Wakatipu) is recognised as being key in numerous Kāi Tahu pūrakau (stories) and has a deep spiritual significance for mana whenua. For generations, Whakātipu-wai-Māori also supported nohoaka (seasonal settlements), kāika (settlements), mahika kai (food gathering) as well as transportation routes for pounamu.

Accordingly, the following documents have been reviewed in the context of this application:

- Kāi Tahu Ki Otago Natural Resource Management Plan 2005
- The Cry of the People, Te Tangi a Tauira – Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

In addition, an assessment of the Wahi Tupuna chapter of the PDP (Chapter 39) has been included in this section. Consideration of other relevant objectives and policies is provided in section 10.

7.7.1 Kāi Tahu Ki Otago Natural Resource Management Plan 2005 Chapter 5: Otago Region

The Kai Tahu Iwi Management Plan sets out the issues, objectives and policies related to the management of the natural environment covering Ngai Tahu's tribal area, including Lake Wakatipu. Chapter 5 of the Kāi Tahu Iwi Management Plan discusses general issues, objectives and policies for all catchments across the Otago region. A summary of the most relevant provisions is provided in the table below.

5.3.2 Wai Maori General Issues	• Current water management does not adequately address Kāi Tahu ki Otago cultural values. • Cross mixing of water. • Deteriorating water quality. • Lack of consideration given to Kāi Tahu ki Otago cultural values in water research. • The fundamental question of ownership of water resources remains unresolved. • Damming. • Lack of adequate minimum flows that provide for Kāi Tahu ki Otago cultural values. • Setting of minimum flows may not appropriately consider social, biological and cultural needs.
5.3.3 Wai Maori General Objectives	i. The spiritual and cultural significance of water to Kāi Tahu ki Otago is recognised in all water management. ii. The waters of the Otago Catchment are healthy and support Kāi Tahu ki Otago customs. iii. There is no discharge of human waste directly to water. iv. Contaminants being discharged directly or indirectly to water are reduced. v. Flow regimes and water quality standards are consistent with the cultural values of Kāi Tahu ki Otago and are implemented throughout the Otago Region and lower Waitaki Catchment.
5.3.4 Wai Māori General Policies	1. To require an assessment of instream values for all activities affecting water. 2. To promote the cultural importance of water to Kāi Tahu ki Otago in all water management within the Otago Region and Lower Waitaki Catchment. 3. To promote co-ordinated research into water-related issues that provides for Kāi Tahu ki Otago input. 4. To protect and restore the mauri of all water. 5. To encourage the use of the Cultural Health Index as a tool for monitoring waterways.

	6. To oppose any further cross mixing of waters. 7. To promote to the Otago Regional Council and Environment Canterbury minimum flow levels, flow regimes, lake levels and lake operating levels for lakes and rivers that recognise and provide for Kāi Tahu ki Otago cultural values and the healthy functioning of associated ecosystems.
5.8.1.6-8 Cultural Landscape policies	To require that jetties and other structures in the foreshore area are controlled to minimise adverse environmental impacts and to ensure access by Kāi Tahu ki Otago to culturally significant areas.

The waterways of Otago are a significant feature of the region, and water plays an important role in the spiritual beliefs and cultural traditions of Kāi Tahu. While the issues, objectives and policies outlined in the table are quite broad in scope, in terms of this proposal, the location and use of the mooring will minimise adverse environmental effects and not unduly restrict access to Lake Wakatipu or to culturally significant areas. Regular maintenance of the mooring (2 yearly inspections as per QLDC requirements) will contribute to healthy water quality and ecosystems. As the mooring has already been established on the lakebed, no further disturbance to the lakebed is required as part of this proposal. The proposal is considered to be consistent with the intention of Chapter 5 of the Kāi Tahu Iwi Management Plan.

New jetties and moorings are “controlled” through the PDP which ensures adverse effects are minimised.

7.7.2 Kāi Tahu Ki Otago Natural Resource Management Plan 2005

Chapter 10: Clutha/Mata-au Catchments

Chapter 10 also contains separate issues and policies for matters such as: Wai Māori; Wahi Tapu; Mahika Kai and Biodiversity; and Cultural Landscapes. The following is an assessment of the proposal against the Cultural Landscapes chapter, which is the most relevant to this application.

10.5.2 Cultural Landscapes Issues in the Clutha/Mata-au Catchment	Extensive spread of jetties and moorings in particular in Lake Wakatipu, Lake Wānaka and Lake Hāwea and adjacent to nohoaka sites.
10.2.3 Jetties and Moorings	6. To require the development of a strategy in conjunction with the Queenstown Lakes District Council to investigate the viability of public moorings in the Queenstown Lakes District. 7. To require that all moorings situated in the vicinity of nohoaka and camping sites to be publicly available. 8. To require jetties to be at a fixed location and any effects of earthworks or from the ongoing operation of jetties and be remedied or mitigated. 9. To require jetties and moorings to be located where they will not impede or restrict access to lakes, rivers and wetlands.

As noted in the table above, the ‘extensive spread of jetties and moorings’ is raised as an ‘issue in’ the Kai Tahu Iwi Management Plan. The relevant Policy 6 is to require development of a strategy with QLDC to investigate the viability of *public moorings*. There is no known strategy with QLDC regarding public moorings, and the proposal is for retention of an existing private mooring. Policy 6 therefore is aimed more at QLDC and does not apply to the proposal.

The proposed mooring is to be located in close proximity to other moorings and jetties in a reasonably domesticated area. As mentioned, moorings along the foreshore in this part of the Frankton Arm are contained

within the immediate vicinity of existing boating structures, thereby reducing the spread of moorings across the wider unoccupied and undeveloped areas of Lake Wakatipu.

With regard to provision 10.2.3, the mooring is not known to be situated in the vicinity of any nohoaka and camping sites. Nor will it unduly impede or restrict access to Lake Wakatipu. Based on the guidance available from the Kai Tahu Ki Otago Natural Resource Management Plan 2005, the proposal will not adversely affect cultural values.

7.7.3 Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

This iwi management plan sets out objectives and policies related to Climate Change, Air, High Country and Foothills for the entire Otago Region. The following table highlights the provisions that are most relevant to this proposal.

3.4	High Country and Foothills
3.4.9	General Water Policy
3.4.9-1	Ensure protection and enhancement of the mauri or life supporting capacity of all high country and foothill waterways.
3.4.9-2	Advocate that all management decisions shall take into account the protection and survival of indigenous species of flora and fauna (rare and not rare and including taonga species contained in the Ngāi Tahu Claims Settlement Act 1998) in their natural habitats and ecosystems.
3.4.9-12	Promote the use of native species in new developments as a means of reducing the risk of plant pest spread.
3.4.14	<i>Protecting sites of significance in High Country and Foothill Areas</i>
3.4.14-1	Ensure that Ngāi Tahu ki Murihiku are able to effectively exercise their role as kaitiaki over wāhi tapu and wāhi taonga in Murihiku.
3.4.14-6	Avoid compromising unidentified, or unknown, sites of cultural significance as a consequence of ground disturbance associated with land use, subdivision and development.
3.4.14-9	Applications for activities in areas of cultural significance where there are no known sites but the likelihood of finding sites is high, may require one or more of the following (at the cost of the applicant): a. site visit; b. archaeological survey (walk over/test pitting), or a full archaeological description, by an archaeologist approved by Ngāi Tahu Ki Murihiku; c. cultural impact assessment; d. cultural monitoring; e. accidental discovery protocol agreement; archaeological authority; f. other (e.g. consent conditions).
3.4.14-12	Ensure that resource consent applicants are aware that liaising with iwi on the cultural impacts of a development does not constitute an archaeological assessment or iwi approval for a given proposal. An archaeological assessment requires follow up in respect to consultation.

The site is identified as wahi tupuna and is not wahi tapu or wahi taonga. The proposal avoids the compromising of unidentified sites of cultural significance as no further ground disturbance to the lakebed is required. The proposed mooring does not restrict or impede access to existing sites of significance. While this iwi management plan is more of a 'high level' document it has still been given relevant consideration in the context of this application. Overall, the proposal is not considered to be contrary to the policies outlined above.

7.7.4 Chapter 39 PDP: Wāhi Tūpuna

Chapter 39 seeks to ensure that activities within identified wāhi tūpuna areas are appropriately managed to protect manawhenua values within those areas. Wāhi Tūpuna 33 is Whakātipu-wai-Māori (Lake Wakatipu). Identified threats for this wāhi tūpuna include:

- a. Damming, activities affecting water quality*
- b. Buildings and structures, utilities*
- c. Earthworks*
- d. Subdivision and development*
- e. New roads or additions/alterations to existing roads, vehicle tracks and driveways*
- f. Commercial and commercial recreational activities*

This proposal is not considered to give rise to any of the abovementioned threats to Wāhi Tūpuna 33. No physical works are required to the lakebed or the surface of the lake that will affect water quality. This mooring is for the personal use of the applicant and will not be used for commercial purposes. No adverse effects are anticipated with regard to Whakātipu-wai-Māori and the associated manawhenua values.

7.8 Summary

The proposed mooring has already been established on the lakebed of Lake Wakatipu. The mooring has been used and maintained in conjunction with Jetty #20B since the applicant purchased the property at 451 Peninsula Road, approximately 19 years ago. While there are no records available of its construction, it is likely the mooring was utilised by the previous owners for many years prior (since the 1960s) and therefore forms part of the established visual character of this part of lake. Overall, the relevant effects (guided by the matters of discretion) have been considered, and the assessment of environmental effects above concludes that proposed mooring #189 will not result in adverse effects on the environment that are more than minor.

8. Effects on persons

The mooring is located on the lakebed which is administered by the Land Information New Zealand (LINZ) on behalf of the Commission of Crown Lands. Consultation is currently underway with Land Information New Zealand. The applicant has not consulted with Aukaha or Te Ao Mārama Incorporated as it is anticipated that the application will progress on a (limited) notified basis.

9. Notification Assessment

9.1 Public Notification

Step 1 – Mandatory public notification

- We are not requesting public notification of the application.
- Provided a request is reasonable, we are unlikely to refuse to provide further information or refuse the commissioning of a report under Section 92(2)(b) of the Act. The application does not involve exchange of recreation reserve land.

- The application does not seek to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

Accordingly, mandatory public notification of the application is not required.

Step 2 – Public notification precluded

- Public notification is not precluded by any rule or national environmental standard.
- The proposal is not for a controlled activity or a boundary activity.
- The proposal is not a prescribed activity

Accordingly, public notification of the application is not precluded.

Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

- There are no rules or NES that require public notification.
- The proposal will not have adverse effects that are more than minor.

Step 4 – Special circumstances (s95(9))

- No special circumstances exist in relation to this application.

This application can be processed without public notification.

9.2 Limited Notification

Step 1 – Certain affected groups and affected persons must be notified

- Lake Wakatipu is a statutory acknowledgement area. As Aukaha and Te Ao Marama have not been consulted and therefore have not provided their written approval, this will trigger the requirement for affected persons under step 1.

Step 2 – Limited notification precluded in certain circumstances

- Not applicable as limited notification is required by step 1.

Step 3 – Certain Affected Persons Must be Notified

- Consideration of affected parties is required in accordance with section 95E. LINZ, as the owner of the lake bed, Aukaha and Te Ao Marama are considered to be affected in a minor way by the proposal.

Step 4 – Special circumstances

- No special circumstances exist in relation to this proposal.

This application must be processed on a limited-notified basis.

10. Policy Framework

10.1 Otago Regional Policy Statement 2019

Otago's Regional Policy Statement (ORPS) became fully operative on 4 March 2024. Regional and District Plans must give effect to it. The relevant objectives and policies are contained within Part B, Chapter 3 of the RPS as follows:

Objective 3.1 - The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded

Policy 3.1.1 Fresh water

Safeguard the life-supporting capacity of fresh water and manage fresh water to:

a) Maintain good quality water and enhance water quality where it is degraded, including for:

- i. Important recreation values, including contact recreation; and,*
- ii. Existing drinking and stock water supplies;*

b) Maintain or enhance aquatic:

- i. Ecosystem health;*
- ii. Indigenous habitats; and,*
- iii. Indigenous species and their migratory patterns.*

....

d) Maintain or enhance, as far as practicable:

- i. Natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;*
- ii. Coastal values supported by fresh water;*
- iii. The habitat of trout and salmon unless detrimental to indigenous biological diversity; and*
- iv. Amenity and landscape values of rivers, lakes, and wetlands;*
- e) Control the adverse effects of pest species, prevent their introduction and reduce their spread;*

Policy 3.1.2 Beds of rivers, lakes, wetlands, and their margins

Manage the beds of rivers, lakes, wetlands, their margins, and riparian vegetation to:

- a) Safeguard the life supporting capacity of fresh water;*
- b) Maintain good quality water, or enhance it where it has been degraded;*

...

d) Maintain or enhance ecosystem health and indigenous biological diversity;

e) Maintain or enhance, as far as practicable:

- i. Their natural functioning and character; and*
 - ii. Amenity values;*
 - f) Control the adverse effects of pest species, prevent their introduction and reduce their spread;*
- and, ...*

Water quality, the natural functioning of the lake and the amenity and landscape values of Lake Wakatipu will be maintained. At a high level, the proposal is considered to be in accordance with the relevant objectives and policies within the RPS.

10.2 Proposed Otago Regional Policy Statement 2021 – Appeals Version

The Proposed Otago Regional Policy Statement 2021 (pRPS 21) was notified on 26 June 2021 sets the direction for future management of Otago's natural and physical resources.

LF-WAI-O1 – Te Mana o te Wai

Otago's water bodies and their health and well-being are protected, and restored where they are degraded, so that the mauri of those water bodies is protected, and the management of land and water recognises and reflects that:

- (1) water is the foundation and source of all life – *na te wai ko te hauora o ngā mea katoa*,
- (2) there is an integral kinship relationship between water and Kāi Tahu *whānui*, and this relationship endures through time, connecting past, present and future,
- (3) each water body has a unique *whakapapa* and characteristics,
- (4) fresh water, land, and coastal water have a connectedness that supports and perpetuates life,
- (4A) protecting the health and well-being of water protects the wider environment,
- (5) Kāi Tahu exercise *rakaitirataka*, *manaakitaka* and their *kaitiakitaka* duty of care and attention over wai and all the life it supports, and
- (6) all people and communities have a responsibility to exercise stewardship, care, and respect in the management of fresh water.

LF-FW-O1A – Visions set for each FMU and rohe

In each FMU and rohe in Otago and within the timeframes specified in the freshwater visions in LF-VM-O2 to LF-VM-O6:

- (1) healthy freshwater and estuarine ecosystems support healthy populations of indigenous species (including non-diadromous galaxiids and Canterbury mudfish) and *mahika kai* that are safe for consumption,
- (2) the interconnection of land, freshwater (including springs, groundwater, ephemeral water bodies, wetlands, rivers, and lakes) and coastal water is recognised,
- (3) fish passage within and between catchments is provided for except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats,
- (4) the form, function and character of water bodies reflects their natural characteristics and natural behaviours to the extent reasonably practicable,
- (5) the ongoing relationship of Kāi Tahu with *wāhi tūpuna*, including access to and use of water bodies, is sustained,
- (6) the health of the water supports the health of people and their connections with water bodies,
- (7) sustainable land and water management practices:
 - (a) support food and fibre production and the continued social, economic, and cultural well-being of Otago's people and communities, and
 - (b) improve the resilience of communities to the effects of climate change, and
 - (c) ensure communities are appropriately serviced by community water supplies, and other three waters infrastructure,
- (8) direct discharges of wastewater to water bodies are phased out to the extent reasonably practicable, and
- (9) freshwater is managed as part of New Zealand's integrated response to climate change and renewable electricity generation activities are provided for.

The proposal will not adversely affect the health and wellbeing of the lake, nor will it impact on the relationship of Kāi Tahu with *wāhi tūpuna* and access to and use of Lake Whakatipu. The proposal is considered to be in accordance with the relevant objectives and policies within the pRPS 21.

10.3 Otago Regional Plan: Water for Otago

Section 5.3 of the Regional Water Plan promotes the protection, maintenance or enhancement of spiritual and cultural beliefs, natural character and amenity values of Otago's lakes and rivers. The maintenance of public access and the protection of heritage values are also key principles. As detailed in the assessment above, the proposed mooring will not significantly affect the natural character or visual amenity values of Lake Wakatipu.

Section 8 focusses on the protection of the lakebed and its complex and dynamic natural systems. In this instance, retrospective consent is sought so the proposal will not cause any bed disturbance or affect stability of the bed or banks, or the flood and sediment carrying capacity of any lake, or fish migration. In addition, the proposal will not affect water quality, amenity values, or downstream users.

Overall, the proposal is consistent with the relevant provisions contained within the Otago Regional Plan: Water.

10.4 Operative District Plan

The objectives and policies of the ODP are no longer considered relevant as there are no rules triggered by which to implement the objectives and policies.

10.5 Proposed District Plan

The relevant objectives and policies are contained within Chapters 3 (Strategic Direction), 6 (Landscapes), 21 (Rural), and 39 (Wāhi Tūpuna) of the PDP. Chapter 3 has already been considered in section 7 of this report so has not been included in the assessment below.

Chapter 3 (Strategic Direction)

Strategic Objective 3.2.4 - The distinctive natural environments and ecosystems of the District are protected.

The relevant provisions of Chapter 3 seek to ensure the natural character of the beds and margins of the District's lakes, rivers and wetlands are preserved, or enhanced where possible, and protected from inappropriate subdivision, use and development. These provisions also seek to maintain or enhance the water quality and functions of the District's lakes, rivers and wetlands.

The natural character, water quality and function of the Frankton Arm, which is recognised as being a more domesticated and modified part of Lake Wakatipu and is not ONL, will be maintained as this proposal is for retrospective consent to formally establish a mooring that has been embedded in its location for many years. Therefore, no disturbance to the lakebed is required. A recent inspection of the mooring has been undertaken, and the individual components of the mooring system (rings, shackles, chains) are reported to be in good condition. The ongoing 2 yearly inspection of the mooring will ensure that the delicate natural ecosystem of the lake is maintained and protected.

*Strategic Objective 3.2.5 - **The retention of the District's distinctive landscapes.***

These provisions seek to protect the landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration. In this instance, the proposed mooring is set amongst other moorings, jetties and boat sheds in a highly modified part of the Frankton Arm that is not an ONL or ONF. The proposal is therefore considered compatible within the existing landscape and will not affect the District's distinctive landscapes, including the Frankton arm, which will be retained.

Overall, the proposal is considered to be consistent with the relevant objectives and policies contained within Chapter 3 of the PDP.

Chapter 6 (Landscapes – Rural Character)

Objective 6.3.5 Managing Activities on Lakes and Rivers

Policy 6.3.5.1 – Manage the location, intensity and scale of structures on the surface and margins of water bodies including jetties, moorings and infrastructure recognising the functional needs of these activities, and the importance of lakes and rivers, including as a commercial recreation, tourism, transport and recreational resource, and ensure these structures are at a scale or in a location that, as far as practicable:

- a. protects the values of Outstanding Natural Features and Outstanding Natural Landscapes; and*
- b. maintains the landscape character of Rural Character Landscapes and maintains or enhances their visual amenity values.*

The Frankton Arm is not identified as being ONL, ONF or RCL in the PDP.

Policy 6.3.5.2 - Recognise the character of the Frankton Arm including the established jetties and wharves, and provide for their maintenance, upgrade or expansion.

Policy 6.3.5.4 – Provide for appropriate commercial and recreational activities on the surface of water bodies that do not involve construction of new structures.

The objective and associated policies above recognise that the lakes and rivers are a significant element of the national and international identity of the District and provide for a wide range of amenity and recreational opportunities. In addition, the presence of moorings in the Frankton Arm are generally accepted as part of the character modified environment. Overall, the mooring is an appropriate recreational activity for its location and the proposal is considered to be consistent with the relevant objectives and policies contained within Chapter 6 of the PDP.

Chapter 21 (Rural)

21.2.12 Objective - The natural character of lakes and rivers and their margins is protected, or enhanced, while also providing for appropriate activities, including recreation, commercial recreation and public transport.

21.2.12.1 Policy – Have regard to statutory obligations, Wahi Tupuna and spiritual beliefs, and cultural traditions of tangata whenua where activities are undertaken on the surface of lakes and rivers and their margins.

21.2.12.2 Policy - Enable people to have access to a wide range of recreational experiences on the lakes and rivers, and their margins, while having regard to environmental and safety constraints of the various parts of each lake and river.

21.2.12.5 Policy – Protect, maintain or enhance the natural character and nature conservation values of lakes and rivers and their margins from inappropriate activities with particular regard to nesting and spawning areas, the intrinsic value of ecosystems and areas of indigenous fauna and habitat and recreational values.

21.2.12.7 Policy - Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided, remedied or mitigated.

The proposal has had regard to statutory obligations, Wāhi Tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua, although consultation has yet to commence. The use of the mooring will not hinder public access to a wide range of recreational experiences on the lakes and their margins. The natural character and

nature conservation values of the lakes is able to be maintained, recognising that the Frankton Arm is a more modified and domesticated part of the lake that is not ONL or ONF, unlike the majority of Lake Wakatipu. The proposal does not adversely affect any known nesting and spawning areas, or the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.

Overall, it is considered that the proposal is consistent with the relevant objectives and policies contained within Chapter 21.

11. Other Matters

Section 104(1)(c) of the Act permits Council to have regard to “any other matter the consent authority considers relevant and reasonably necessary to determine the application”.

11.1 QLDC Navigation Safety Bylaw 2025

This bylaw applies to the navigable waters and foreshore within the area of Queenstown Lakes District. The purpose of the bylaw (with regard to structures and moorings) is to regulate the placement and maintenance of moorings and maritime facilities.

Part 8 of the Navigation Safety Bylaw 2025 states the following;

47 Mooring permits

47.1 No person may place a mooring in any waters, or moor any vessel in any navigable waters, other than in accordance with a mooring permit issued by the Council.

47.2 The Council may issue a mooring permit subject to conditions determined by the Council in accordance with requirements specified under clause 52.

47.3 The Council may prescribe fees associated with moorings and mooring permits in accordance with clause 53.

47.4 Mooring permit holders shall take all care to ensure that the mooring is used in a lawful manner and use moorings at their own risk.

47.5 Mooring permits may be transferred in accordance with terms and conditions prescribed by the Council, including the payment of the applicable fee.

The applicant has a current mooring permit from QLDC (appended as Attachment [D]), which was issued on 1 July 2025 and is valid until 30 June 2026. The applicant has maintained the mooring and paid the associated mooring permit fees since owning the mooring. It is understood that once this permit expires, the applicant will need to obtain a new permit.

11.2 Otago Regional Council Navigation Safety Bylaw 2020

This Bylaw applies to all waters in the Otago Region including the territorial sea and all inland waters apart from the navigable waters in the Queenstown Lakes District Council area, which are administered by QLDC. As such, the ORC Navigation Safety Bylaw does not apply to this proposal.

11.3 National Policy Statement for Freshwater Management 2020 updated 2025 (NPS-FM)

The NPS-FM provides legally binding direction to local councils on managing freshwater to restore and protect its health, prioritising the concept of *Te Mana o te Wai*. It requires regional councils to set long-term visions, establish limits on resource use, and monitor ecosystem health and human contact, with a focus on reversing degradation within a generation. The following objective is considered most relevant to this proposal –

2.1 Objective (1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:

(a) first, the health and well-being of water bodies and freshwater ecosystems

(b) second, the health needs of people (such as drinking water)

(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

The proposal enables the applicant to provide for their social, economic, and cultural wellbeing in a way that is consistent with NPS-FM. Overall, the proposal is consistent with the relevant objectives of the NPS-FM.

12. Conclusion

Retrospective resource consent is sought to establish Mooring #189 on the south side of the Frankton Arm, Lake Wakatipu. Overall, it is concluded that the proposed activity is not likely to have any adverse effects on the environment that are more than minor. The proposal is consistent with the relevant objectives and policies of the PDP, the ORPS's, and meets the purpose and principles of the Resource Management Act 1991.

Attachments

Attachment [A]: Form 9

Attachment [B]: Location Plan

Attachment [C]: Mooring Inspection Report

Attachment [D]: Mooring Permit #189

Attachment [E]: ORC to QLDC transfer of powers



Swing mooring inspection & Information form

Please complete all details below, if an incomplete form is submitted this may be returned to you if any information shown below is missing or has been incorrectly entered, please take time to make sure all details are accurate and that all areas have been fully completed.

Please Print All Details Clearly

Owner / Contact Person Details – (Mooring Owner To Complete)

Mooring Location (Lake): Wakatipu – near Mincher Rd

Mooring Permit #: **189**

Mooring Owners Name: Steve Hodgson

Mooring Owners Address:

Mooring Owners Postal Address (if different):

Mooring Owners Phone No:

Mooring Owners Email Address:

Emergency contact Number:

Details of Primary Vessel Using Mooring – (owner To Complete)

Name of vessel using mooring:

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft ☐ Recreational Powered Craft Yacht ☐ Other ☐

If "Other" please outline type of vessel _____

Length of Vessel: Weight of Vessel:

Vessel Colour(s):

Does the vessel have a mooring number clearly visible from outside of the vessel?

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: 45*02' 17.60S

LON: 168*41'36.41E

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: Yes

Inspection Date: 24/4/2026 Water Depth at location at time of inspection: 9m

Calculated total swing radius of mooring at lowest lake level: 11.5m

Lake level at time of inspection: 309.867m

What is the estimated life expectancy of the mooring prior to upgrades/replacements being needed? Concrete Block is permanent (approx. 50 years ?) Block attachment could last 25 years? Chains and components will have to be inspected every 2 years. See condition of parts at time of this inspection further on in report

Has been upgraded with this inspection: No

Was vessel on mooring at time of inspection: No

Checklist – (Mooring Inspector To Complete)

Note: If non-traditional mooring system is in use and this table is not fit for purpose,

	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Exist ing	Replaced
TO P SE CTI ON	✓	Floats	Numbered: Yes	Type: Orange A4	Good	✓	
			Colour: Orange	Type: foam filled handle buoy	Good	✓	
	✓	Shackle(s)	Number: 1st Diameter: 20mm std	Moused: Y	Condition: Good	✓	
	✓	Shackle(s)	Number: 2nd Diameter: 13mm tested	Moused: Y	Condition: Good	✓	
	✓	Chain	Length: 4m	Diameter: 13mm Min D: 13mm	Condition: Good	✓	
MI DD LE /RI SE R/RI DE	✓	Shackle(s)	Number: 3rd Diameter: 13mm tested	Moused: Y	Condition: Good	✓	
	✓	Swivel	Diameter: 16mm	Stainless Steel	Condition: Good	✓	
	✓	Shackle(s)	Number: 4th Diameter: 13mm tested	Moused: Y	Condition: Good	✓	
	✓	Riser/Ride/Mid dle chain	Length: 7m	D: 13mm Min D: 10mm	Condition: OK – wear is bottom 2m of chain only	✓	
	✓	Shackle(s)	Number: 5th Diameter: 16mm tested	Moused: Y	Condition: Good	✓	
BO TT OM	✓	Ground chain	Length: 4m	D: 20mm Min D:19mm	Condition: Good	✓	
	✓	Block Shackle	Diameter: 25mm std	Moused: Y	Condition: Good	✓	
	✓	Block Ring	Diameter: 32mm rebar cast into concrete block		Condition: Good	✓	
	✓	Block(s)	Is block visible?: Yes	Weight (dry) est : 1050kgs	Good	✓	
			Dimensions: 1m x 1m x 500mm	Type: Concrete block			

details and observations can be provided on a separate page.

Inspectors Observations:

Has Block Shifted or become buried? **No**

Inspectors Further Comments:

Boat attachment is 2m x 10mm chain in good condition

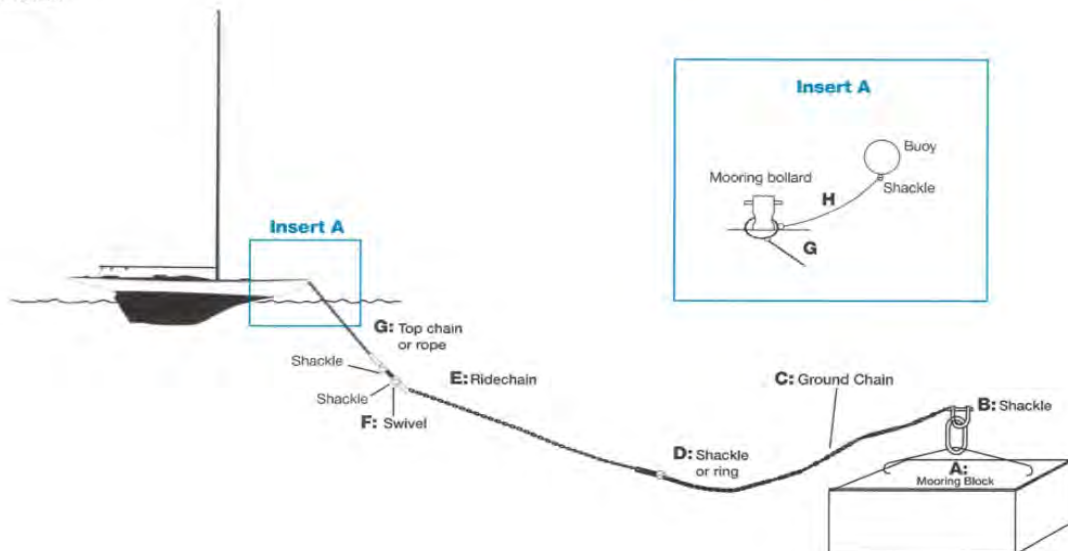
NB: If your mooring has components that have been identified as being in poor condition at the time of this inspection, I do not recommend a boat be attached to it until those issues are repaired/replaced.

Mooring Diagram – (Mooring Inspector To Complete)

Insert Diagram of complete mooring showing each section and current average diameters here:

As per table below for a standard system – this may vary

FIGURE 1
MOORING SYSTEM



The second photo is components that are needed for a larger vessel



A large orange buoy with the number 189 and the name Hodgson, and a date 24.4.26, floating in the water next to a boat. The buoy is spherical with a handle on top. The boat's edge is visible in the foreground, showing a metal grate and a chain.

Declaration – (Mooring Inspector To Complete)

This is to certify that I have completed a visual inspection ONLY to the above mooring and that I deem it to be fit for purpose, and that the information supplied above is true and correct at the time of inspection.

Anything above the waterline is the owners responsibility to inspect, maintain and repair/replace.

Company Undertaking inspection -

Company undertaking Inspection: ___Wright Building and Diving Services Ltd_____

Company physical address: ___10 Elizabeth Place, Kelvin Heights, Queenstown_____

Company Postal Address: ___a/a_____

Name of person completing inspection: ___Garry Wright_____

Signature of person completing inspection: _____



Date: ___24/4/2026_____.

Harbourmasters Document Review – (To Be Completed By Harbourmaster)

Document Reviewed on: (Inset Date): _____

Document Reviewed by: _____

Harbourmaster Comments:

Harbourmaster Signoff

Name: _____

Signature: _____

Date: _____

Part 2: To be used if this document is supporting a resource consent application.

Resource Consent Application considerations

Will the system be upgraded?

Will upgraded system differ from current system? (if yes, please detail, please include implications to swing radius)

Will block be replaced?

Will existing Block be removed?

Vessel Length:

Vessel length Note: In assessing the location of a swing mooring the Harbourmaster's Office undertakes an assessment that ensures moorings are spaced at a suitable distance apart to minimise any possible conflicts between moored vessels. Vessel length, mooring system design, and depth range information is used to ensure sufficient swing room is available and thus mitigate possible damage to vessels. Resource Consents will specify the vessel length allowable for the individual mooring. Due to the congested nature of some areas within our lakes, gaining or altering resource consent to accommodate larger vessels may not be viable. We all want vessels to be securely moored and remain un-damaged.



MOORING PERMIT

Issued under the Navigation Safety Bylaw 2025

Mooring Number: 189

Description of mooring: Swing Mooring

Name to whom permit is granted: Steven James Hodgson

Waterway: Lake Wakatipu

Position of mooring: Longitude 168.693779

Status: Unconsented

Latitude -45.038215

Date of issue: 01 July 2025

Expiry of permit: 30 June 2026



Signed for and on behalf of Queenstown Lakes District Council:

Duty of Permittee:

Please be advised that if at any time during the term of this permit, the mooring to which this permit refers to is sold or transferred, please contact Council: property@qldc.govt.nz or Queenstown: 03 441 0499 or Wanaka: 03 443 0024

Conditions of permit

The terms and conditions on which this mooring permit is granted include, but are not limited to the following:

- (1) The mooring must remain in the "position of mooring" described within the permit;
 - a. the design, specifications and maintenance of the mooring must comply with any guidelines issued by the Council;
 - b. the permit holder must mark the location of the mooring with a buoy or float that displays the permit number;
- (2) The permit holder must pay to the Council all permit renewal costs as specified in the Navigation Safety Bylaw 2025.

Maintenance and construction requirements

- (1) The owner of a swing mooring or a pile mooring must maintain his or her mooring in a proper state of condition and repair and must comply with any guidelines adopted by Council.
- (2) A mooring owner may carry out maintenance after removing the mooring from the water, provided the inspection fee has been paid and arrangements are made by the mooring owner for inspection of the mooring by suitably qualified person and the payment of any permit fee prior to the mooring being reinstated.
- (3) The Council or the Harbourmaster may require the mooring owner to remove the mooring in a specified time frame if:
 - a. the permit has been cancelled, or
 - b. where the mooring permit fee is unpaid for a period greater than 2 months from the due date,
 - c. the mooring does not comply with the Resource Management Act 1991.
- (4) All costs associated with the inspection, maintenance and replacement of moorings or mooring components must be borne by the mooring permit holder.

Liability of the Council

- (1) Permit holders shall take all care to ensure that the mooring is used in a lawful manner and use moorings at their own risk.
 - a. The Harbourmaster and Council are not liable for: Any damage to a craft whether the damage is caused by a third party, a natural disaster event, natural processes or by any other cause;
 - b. Any damage to a craft which has not been securely moored;
 - c. Any damage to a craft which results from any actions taken by the Harbourmaster to secure a craft, in the event of a storm or other adverse event;
 - d. Any actions or omissions of the Harbour master or any other officer of the Council in the performance of any duties, functions or powers in respect of this bylaw.

Transfer of permit

- (1) The permit may be transferred where application is made and is accompanied by the payment of the application and processing fees along with a completed transfer request form by post to Queenstown Lakes District Council, Private Bag 50072, Queenstown 9348 or by email to property@qldc.govt.nz

Surrender of permit

- (1) If no longer required, the permit may be surrendered by returning it to the Council together with confirmation that the mooring has

THIS DEED is made the

23rd 85 day of

March

1998~~4~~

BETWEEN THE OTAGO REGIONAL COUNCIL ("the Region") of the one part

AND THE QUEENSTOWN-LAKES DISTRICT COUNCIL ("the District") of the other part.

both being bodies corporate constituted under S.37L of the Local Government Act 1974, the Region being a regional council and the District being a territorial authority.

WHEREAS the regional boundary of the Region includes an area that is also within the boundary of the District ("the Land")

AND WHEREAS pursuant to S.33 of the Resource Management Act 1991 ("the Act") the Region has agreed to transfer in respect of the Land certain of its functions, powers or duties as defined below to the District.

AND WHEREAS the District has agreed to assume such functions, powers or duties on the terms and conditions as are agreed herein the Region and the Council being satisfied that the transfer is desirable on all of the following grounds, namely the District to which the transfer is made represents the appropriate community of interest relating to the exercise or performance of the function, power or duty and efficiency and technical or special capability or expertise

AND WHEREAS the Region duly served notice on the Minister for the Environment

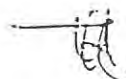
AND WHEREAS the Region has duly completed the special consultative procedure specified in S.716A of the Local Government Act 1974 and no submissions to the proposed transfer have been received

AND WHEREAS the proposed transfer is made expressly on the terms and in accordance with the said S.33 in particular subss (1), (3), (8) and (9) thereof

NOW THEREFORE THIS DEED WITNESSETH

1. THE region DOTH HEREBY TRANSFER to the District in respect of the Land the functions, powers or duties of:

- (a) determining applications for land use consent, consent for which is required to be obtained pursuant to S.13(1)(a) of the Act within the land;



- (b) administering, monitoring and supervising the implementation of consents given by the District pursuant hereto;
- (c) issuing of any consent required under bylaws promulgated under the Harbours Act 1950 in respect of any of the structures mentioned in subclause (a) hereof;
- (d) enforcement as provided in Part XII of the Act and as provided in the Harbours Act 1974 in respect of any of the above structures.

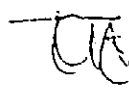
2. THE District HEREBY AGREES TO AND ACCEPTS to undertake these functions, powers and duties subject to the terms of this agreement and the said S.33.

3. ON receipt of land use consent applications in respect of structures which:

- (a) are located or proposed to be located on the bed of rivers; or
- (b) are solid or effectively solid structures (as distinct from open, piled structures); or
- (c) involve excavation of the bed, disturbance of the shoreline or significant disturbance of the lake bed; or
- (d) are owned or proposed by the District

the District will forthwith advise the Region of the receipt and nature of the application and the Region may at its discretion in any particular case resume the functions, powers and duties of processing and determining any application and of administering the consents at any time prior to the commencing of a hearing where such is held prior to determination of an application where no hearing is held.

4. THE District shall have all of the functions, powers and duties given under the Act or Local Government Act 1974 or any other power thereunto enabling to recover all costs incurred by it in the carrying out of the functions, powers and duties hereby transferred but shall have no right to call on a contribution to costs in respect thereof from the Region.

5. THE District shall report to the Region at six monthly intervals in such manner as may be agreed from time to time between the parties on the exercise of the functions, powers and duties hereby transferred.

6. THE District may relinquish the transfer of the functions, powers and duties agreed hereby following consultation with the Region and upon one month's notice following such consultation.

7. THIS agreement may be modified or varied by agreement in writing made between the parties.

8. THE Region may change or revoke the transfer of any function or power transferred hereby at any time by notice in writing to the District.

IN WITNESS WHEREOF the parties have executed this deed the day and year first before written.

THE COMMON SEAL of THE
OTAGO REGIONAL COUNCIL

was hereunto affixed in the
presence of:

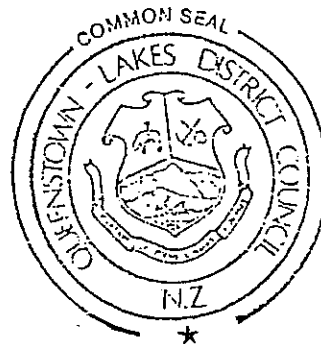


Chairperson

[Signature]
.....
[Signature]
.....

Director Corporate Services

THE COMMON SEAL of THE
QUEENSTOWN-LAKES DISTRICT
COUNCIL was hereunto affixed in the
presence of:



[Signature]
.....
[Signature]
.....
lkl cs



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Steven Hodgson - 451 Peninsula Road, Kelvin Heights, Queenstown



AFFECTED PERSON'S DETAILS

I/We Land Information New Zealand

Are the owners/occupiers of
The bed of Lake Wakatipu



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Retrospectively establish Mooring #189 on the bed of Lake Wakatipu.

at the following subject site(s):

The mooring is located on the bed of Lake Wakatipu, in the southern shore of the Frankton Arm, north of 451 Peninsula Road, Kelvin Peninsula, Queenstown (GPS co-ordinates Latitude 45.038215S/Longitude 168.693779E).



PLEASE TICK

I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



PLEASE TICK

I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



PLEASE TICK

I/We have sighted and initialled ALL plans dated and approve them.



The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A

Name (PRINT)

Linda Chandler

Contact Phone / Email address

crownproperty@linz.govt.nz

Signature

Date

23/03/2026

B

Name (PRINT)

Contact Phone / Email address

Signature

Date

C

Name (PRINT)

Contact Phone / Email address

Signature

Date

D

Name (PRINT)

Contact Phone / Email address

Signature

Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

